

# Project Safe Neighborhoods

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# Proven Law Enforcement Strategies

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## I. Introduction

Across the country, as part of Project Safe Neighborhoods (PSN), districts have established innovative law enforcement strategies that have proven effective in addressing their violent crime and gang problems. Under PSN, districts have recognized that a “one size fits all” strategy is not effective. Thus, they have utilized a number of successful strategies, including intelligence-driven strategies, case screening, most violent offender lists, directed patrols and hot spot saturation, field interrogations, task forces, broken window strategies, probation and parole sweeps, focused deterrence through lever-pulling strategies, and advanced technology.

## II. Intelligence-driven strategies

Several districts have utilized intelligence-driven strategies, such as hot spot analysis or violent crime and gang territory mapping. For example, the Western District of Tennessee developed Blue CRUSH™ (Criminal Reduction Utilizing Statistical History), which is a data-driven initiative developed by the Memphis Police Department in partnership with the University of Memphis. This strategy utilizes new tactics and innovative technology to create multilayer, interactive assessments of crime patterns based on data from prior arrests and incidents. Investigators can map out and evaluate real-time crime patterns throughout the city or within a specific area. Investigators can generate crime maps based on criminal offenses, time of the day, day of the week, or various victim/offender characteristics. This information is used to specifically focus investigative and patrol resources.

For example, at one point, robberies of Hispanic victims in Memphis skyrocketed from an average of 14 to 81 per week. In response, a statistical analysis of real-time crime patterns resulted in an investigative operation and coordinated media campaign focused on this crime pattern for 30 days. PSN officers worked side by side with the other Blue CRUSH™ units, not only in undercover operations and overtime details, but also by personally serving Hispanic victims with court subpoenas and providing transportation to and from court. After 30 days and 32 arrests, robberies of Hispanic victims plummeted from 81 per week to 8, and a significant number of gang members were in jail.

The Blue CRUSH™ strategy has included several facets: the distribution of crime analysis hot spot packages to all precincts; development of a new, multiple-database query system to enhance crime pattern and suspect identification; city-wide hot spot policing strategy; specialized units to address violent crime in targeted locations based on data analysis; transformation of the traditional monthly Comstat meeting to a weekly Blue CRUSH™ meeting involving the command staff and crime analysts to detect crime hot spots, identify crime patterns, develop police responses, and assess the effectiveness of the tactics; a data-driven undercover program focusing on street crime and repeat offenders; training for officers on the principles of the Blue CRUSH™ strategy; utilizing civil nuisance laws to address hot spots; coordinating enforcement actions against problem properties with other city departments; pairing probation and parole officers with police officers to make unannounced home visits; and a communications strategy to foster a deterrence message by informing the media, community, and offenders about Blue CRUSH™.

The Eastern District of California (EDCA) utilized gang-link analysis to combat their violent crime problem. The analysis was conducted by the task force's research partner, Dr. Anthony Braga, of the Kennedy School of Government at Harvard University. Dr. Braga compiled data from numerous sources in an effort to identify the role that gangs play in gun violence. The data revealed that from 2000 to 2003, nearly 60 percent of the gun homicides in Stockton, CA, were gang related, while 61 percent of homicide offenders and 53 percent of homicide victims were known gang members. EDCA took similar problem analysis steps with aggravated assaults involving a gun. Data revealed that while offenders and victims involved in aggravated assaults were less likely to be gang members, 41 percent of offenders and 25 percent of victims were known gang members. Given the estimate of four percent of the city's youth population involved in gangs, the data suggested that gang members were contributing significantly to the city's firearms violence problem and that gang members were at substantial risk for being involved in gun violence.

The EDCA research team also worked with law enforcement officials to map out the structure of gangs in Stockton and to identify both gang alliances and conflicts. EDCA strategically used this approach to both identify gang offenders that could be prosecuted and those to be given priority for strategic interventions, such as offender notification meetings and prevention activities. Their prevention approach includes a gang-outreach worker who interacts with gang members by offering suggestions for getting out of the gang and explaining the consequences of continued gang involvement.

Within the Northern District of Illinois, the Chicago Police Department (CPD) has a sophisticated crime mapping program that provides detailed information regarding the nature and location of crimes. CPD uses the information to identify those police districts that have the highest incidence of violent crimes and gun crimes. Additionally, as part of their anti-gang coordination, federal prosecutors and agents have worked with the CPD to map gang territory throughout the city of Chicago, which provides a graphic representation of areas of the city that are controlled by various gangs. On a weekly basis, gang prosecutors receive information from the CPD that identifies violent crimes and gun crimes by district. This mapping information is supplemented by narratives that explain suspected gang-related criminal activity. Oftentimes, mapping information demonstrates clusters of criminal activity that can be linked to ongoing gang conflicts.

### **III. Case screening**

Case screening is another effective strategy used by law enforcement. In the Western District of Kentucky, a coordinator prepares a report detailing every firearm arrest in the Louisville Metropolitan area. The report consists of a copy of the arrest citation describing the basic facts of the case along with the defendant's comprehensive criminal history. The coordinator also checks probation and parole records to determine if any defendant is on probation or parole and, if so, notifies the probation or parole officer assigned to supervise the defendant to ensure that the assigned officer is aware that his or her supervisee was arrested for a firearm offense. Thereafter, the United States Attorney's Office (USAO) reviews the reports and selects appropriate defendants as potential targets for federal prosecution. Once the USAO identifies a potential federal target, the USAO consults the local officer who made the arrest. If, after a review of the case with the local officer, the defendant remains a viable federal target, the USAO sends the report to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) with a request for an agent to be assigned. The USAO also coordinates with the state prosecutors by "shadowing" cases upon request from the state prosecutor's office. When the request is received to shadow a case, the assigned Assistant United States Attorney (AUSA) will review the case for potential federal prosecution. If appropriate, the AUSA will prepare a "shadow" letter, stating the sentence that a defendant with pending state charges

could potentially receive in federal court. Thereafter, if the defendant does not accept an appropriate guilty plea offer in state court, federal prosecution will be authorized.

In the Western District of Tennessee, the PSN Coordinator, a state prosecutor, and PSN investigators meet weekly to review detailed investigative packets that have been prepared by the investigators in every case where a firearm, bullet, or casing has been seized and there is an identifiable trigger for federal jurisdiction. These packets include detailed criminal history and lifestyle information about the defendant, a summary of the current arrest, as well as information related to prior violent crime or gun-related arrests. The PSN investigators provide the manpower to conduct any additional investigation that the group thinks is necessary. Once a gun case with a federal trigger is deemed to be provable, a determination is made whether to take the individual directly into the federal system or to make an above-range plea offer in state court. The state-offer cases are opened federally but then dismissed if the defendant opts to accept the offer and plead in state court. If the defendant rejects the offer, the case is indicted and prosecuted in federal court. As a result of these meetings, from 2002 through 2008, over 12,273 cases have been reviewed and 4,004 felons have been identified. As a direct result of the weekly review meetings, over 1,100 defendants have been indicted in federal court and over 400 defendants have pleaded guilty to “above range” offers in state court. There was immediate evidence of the effectiveness of the program in crime rates. After the initial implementation of the weekly review and intake meetings, the firearms-related homicide rate in Shelby County fell 16.4 percent and reached an 11-year low in 2004.

In support of PSN, the Iowa Department of Public Safety (DPS), the Iowa Division of Criminal Investigation (DCI), the Iowa Division of Criminal and Juvenile Justice Planning and Statistical Analysis Center (CJJP), and the Iowa Judicial Branch have collaborated to create the SIFT (Search of Information for Firearm Tie-ins) preliminary case-screening system through which each individual arrested and fingerprinted in Iowa by a state or local law enforcement agency is reviewed for possible federal prosecution in the Southern District or Northern District of Iowa. Each day, DCI processes the fingerprints of persons arrested by state and local law enforcement agencies for serious crimes, including the forwarding of the fingerprints to the Federal Bureau of Investigation (FBI) to ascertain if the individual has a prior criminal history. Once the FBI has established the true identity of the individual, a computer program developed by DPS scans all reported arrests in the state, identifying those arrests involving weapons and certain other crimes in which a firearm is often involved. CJJP then reviews the individual’s Iowa criminal history, as well as any criminal history maintained by the FBI, and any criminal histories available through the Interstate Identification Index. CJJP also reviews the Iowa Court Information System for any criminal court data relevant to the individual. If, after reviewing the various criminal history data, the individual appears to fit the criteria established by the USAO for possible federal prosecution, CJJP prepares a criminal history summary, including the recent arrest charges. CJJP then forwards the summary to the USAO for evaluation. Since the implementation of SIFT, CJJP has screened an average of more than 6,700 arrests per month. SIFT referrals also note known gang connections or affiliations of those whose names are referred for prosecution consideration.

The Nevada USAO, in conjunction with the Clark County District Attorney’s Office (DA) and most Southern Nevada law enforcement agencies, including the Las Vegas Metropolitan Police Department, North Las Vegas Police Department, Henderson Police Department, and Clark County School District Police, implemented the Game Over initiative targeted at youthful gun offenders. While the primary focus of the program is on youthful offenders who have reached adult status, the initiative provides for screening of juvenile cases involving guns. Under the initiative, all juvenile cases in which a gun is involved and the juvenile is eligible under state law for adult prosecution are screened through the DA’s intake system and pulled for consideration by the PSN Review Committee, which meets every two weeks and includes representatives from both the USAO and DA and all local participating law

enforcement agencies. The Committee reviews each gun case to determine if the case could be prosecuted federally and whether the subject would likely receive a greater sentence under the state or federal system. The goal of the Committee is to ensure that gun cases involving the most dangerous subjects are prosecuted federally, if federal prosecution would likely result in the greatest possible sentence. In those cases in which the subject would likely receive a similar or greater sentence in the state system, the DA's office has established a special gun unit.

The District of Massachusetts utilizes data compiled by the Boston Regional Information Center (BRIC) at the Boston Police Department to identify impact players and gang members whose activities have a significant effect on the community. Every two weeks, the Boston Police Department collects and disseminates reports, criminal records, and intelligence information regarding every gun arrest in the city of Boston. A senior AUSA and the Chief of the Gang Unit at the Suffolk County Attorney's Office then reviews this information. After this initial review, a meeting is held with the Director of the BRIC, who provides additional information regarding arrests, gang affiliations, and related intelligence pertaining to the reported activities. The USAO also has an intelligence analyst who provides in-house coordination of gang intelligence from all state and local agencies. Afterwards, case files for selected targets are sent to ATF, which conducts followup investigations to prepare the case for federal prosecution.

#### **IV. Most violent offender lists**

A number of districts have found success in utilizing Most Violent Offender Lists to combat their gun and gang crime problems. For example, the District of Delaware utilizes a Top 25 Most Violent Offender List, to ensure that state prosecutors are aware when one of the city's most violent offenders is arrested. The list is also provided to every Wilmington police officer so that they can be aware when they have contact with one of Wilmington's Top 25 Most Violent Offenders. The list, which the Wilmington Police Department regularly monitors and updates, is compiled based upon information derived from the following sources: arrest history, reliable informants, concerned citizens, intelligence from probation officers, and intelligence from police officers. A report from the Delaware Criminal Justice Council revealed that of the suspects identified in 2006 shootings in Wilmington, over 95 percent had a prior criminal history and over 50 percent had a prior weapons arrest. Thus, the knowledge of which offenders are the most violent allows law enforcement and prosecutors to better address the violence problem as they can focus resources on these violent recidivists.

This strategy has also been one of the cornerstones in the Eastern District of Tennessee's (EDTN) PSN program that resulted in a 23-percent district-wide reduction in violent gun crime over the first 5 years. The premise is simple: members of law enforcement know the repeat offenders who are responsible for the violent crime in their jurisdictions. Local, state, and federal law enforcement officers, probation officers, and prosecutors meet once a month to identify the top 25 offenders. In order to qualify for this "Serious Offender List" (SOL), an offender must meet all of the following criteria: at least one prior felony conviction; at least two prior violent felony arrests; and in the preceding 12 months either have been released from prison or have been arrested for a drug, weapons, or violent felony or misdemeanor. After an offender is placed on the SOL, ATF begins compiling "blue jacket" information, in particular one-in-the-same evidence including certified copies of prior felony conviction(s). Thus, if the offender is later found in possession of a gun, the prosecution is expedited.

The Criminal Intelligence Unit of the Knoxville Police Department also creates a serious offender list flyer, which contains a photograph of the individual along with personal identifiers, last known address information, and lists of known associates and gang affiliations. The flyer, which is law enforcement sensitive, is distributed to all members of the police department both as a safety bulletin and to alert them that special prosecutorial attention is anticipated if the offender violates state or federal law.

The SOL and the flyers are also posted on Law Enforcement On Line in the Violent Gun Crime and Gang Task Force for the EDTN Special Interest Group (SIG). As preliminary intelligence is gathered and the flyer distributed, individuals placed on the SOL are targeted for proactive law enforcement activities. Additionally, all members of the SOL working group, including state and federal prosecutor offices and probation and parole offices, have agreed to expedite cases involving individuals who have been placed on the SOL. In the EDTN, this focused use of law enforcement resources has resulted in the successful apprehension and prosecution of dozens of the community's most serious violent offenders.

The Middle District of Georgia instituted a unique violent offender interactive Web site, Operation Elimi-Con. The interactive Website hosts all of the information collected on listed offenders, including rap sheet summaries, digital booking photos, prison histories, last known address, warrant status, etc. The criteria for inclusion on the list is an arrest for any offense in the past year, three or more lifetime arrests for one of 20 violent offenses identified by the PSN Task Force (two arrests had to occur in the past 5 years), and one or more lifetime convictions for a violent offense. That resulted in a list of 235 offenders, which, while they only accounted for 1 percent of the individuals arrested in 2003, accumulated 4,285 arrests in their criminal careers (an average of 18 each). The typical offender was age 35 and active in crime for 15 years, and 65 percent of them served time in a Georgia state prison. The offender information is continually updated, from running manual rap sheet checks for new arrest activity to accessing continually updated correctional records. To access the site, law enforcement, courts, and correctional representatives complete an application and are issued a user name and password. Currently, the Web site has 344 users from 17 agencies. Each offender has his own "web page" which provides users with information concerning his criminal record, most recent photograph, alias, last known address, propensity for violence, and other vital information. Law enforcement officers can log onto the secure Web site and print out each offender's web page during roll call. Officers can use a "Notes" Section to exchange intelligence information with other officers to assist in monitoring and enforcement duties. Additionally, officers can locate an offender through an interactive map on the Web site identifying the last known address of each offender by police precinct.

The District of Idaho worked with federal, state, and local law enforcement to develop three strategic intervention lists. First, ATF and the Idaho Department of Corrections (IDOC) created the armed career criminal (ACC) database. The ACC database identifies those offenders who have been convicted of three or more crimes of violence or controlled substance offenses. The database contains the supporting conviction documents. Probation and parole officers are advised of a defendant's ACC-eligible status and directed to immediately call ATF should that person be found in possession of a gun. Second, ATF and the IDOC have identified all violent offenders with a significant criminal history, regardless of their ACC eligibility. Again, probation and parole officers are directed to immediately contact ATF if an offender is found in possession of a gun. Third, the district has applied this same approach to gang violence by targeting the gang's command structure. Gang members with supervisory roles are placed on a "List of Colors" and targeted by law enforcement for federal prosecution. By identifying proven violent gun offenders and gang members closely associated to gun violence, limited resources are focused on those with violent criminal histories.

Baltimore EXILE is a joint effort by the State's Attorney's Office for Baltimore City (SAO), the Baltimore Police Department (BPD), the Division of Parole and Probation of the Maryland Department of Public Safety and Correctional Services (Maryland Parole/Probation), the Governor's Office of Crime Control and Prevention (GOCCP), the USAO for the District of Maryland (USAO), ATF, the High Intensity Drug-Trafficking Area Task Force (HIDTA), the Drug Enforcement Administration (DEA), FBI, United States Immigration and Customs Enforcement (ICE), and the United States Marshals Service (USMS). Under their Violent Repeat Offender (VRO) initiative, a team composed of representatives of the BPD, ATF, DEA, HIDTA, FBI, Maryland Parole/Probation, SAO, and USAO works proactively to

identify the community's most violent offenders and to devise strategies for getting them off the streets as quickly and effectively as possible. The VRO team identifies the most violent individuals in Baltimore, some of which have pending state gun, drug, or violent crime cases or are in violation of their parole or probation. Others have no pending charges but have lengthy criminal histories. The members of the VRO team determine the most effective strategy for arresting and detaining each individual or gang, including violations of parole or probation, aggressive prosecution of pending state or federal charges, or proactive investigations resulting in federal charges. The team meets regularly to monitor the progress of each pending case against or investigation of existing VRO targets and to determine the most effective strategy for arresting and detaining newly identified VROs.

## **V. Directed patrols and hot spot saturation**

Many districts utilize their intelligence data to focus directed patrols and hot spot saturation strategies. One effective strategy which the Eastern District of Tennessee uses is saturation enforcement, which they call Crime Suppression Initiatives (CSIs). CSIs take a team approach and call on all available law enforcement and law enforcement-related resources to saturate the identified high violent crime area for a 4- to 8-hour period. For example, in one CSI, the following agencies actively participated: Knoxville Police Department, Knox County Sheriff's Department, Tennessee Highway Patrol, Tennessee Board of Probation and Parole, City of Knoxville Beer Inspectors, and City of Knoxville Fire Inspectors.

Each CSI event is initiated with a briefing during which coordinated assignments are made. Typically, those assignments include the following coordinated approaches directed at a small target geographic area: Highway Patrol Officers saturate state highways and major roadways patrolling or conducting drivers' license and DUI roadblocks; Knoxville Police Department (KPD) officers deploy in teams to conduct foot patrols in low-income housing areas; Knox County Sheriff's deputies accompany Tennessee Board of Probation and Parole officers to do home checks on known violent felons and drug traffickers and conduct searches of those offenders and their residences; other KPD officers accompany City of Knoxville Beer inspectors and City of Knoxville Fire Department fire inspectors while they conduct surprise inspections of business establishments experiencing high levels of criminal activity. These CSIs are successful in reducing violent gun crime on a short term basis but, perhaps more significantly, demonstrate a commitment by the law enforcement community to address crime in areas typically resistant to reduction strategies.

The District of Idaho developed a strategy called Operation Street Sweeper (OSS), which is an interagency collaboration between federal, state, and local law enforcement agencies with the purpose of reducing gang-related crimes and violent activity in selected areas through aggressive, proactive, and coordinated street enforcement; deterring criminal activity through high-profile enforcement activity; developing and/or increasing the number of positive community contacts; showing the community and gang members that law enforcement is serious about reducing gang and violent crime in the area; and using the media to showcase a law enforcement effort to reduce gang violence and activity. The first OSS focused on several hot spots within several cities. Participating agencies worked two 10-hour shifts per day. Evaluating this multi-day operation, law enforcement noted that during OSS there was an absence of firearms-related violence reported in the target cities; there were no reported aggravated assaults, stabbings, or bank robberies; police officers and federal agents increased their contact with community members to discuss gang violence and had more contact with youth; there were no firearms-related calls for service; a total of 219 arrests were made; firearms, knives, drugs, and drug paraphernalia were seized; 896 field interviews were conducted; 14 gang members were identified and added to gang databases; four confidential informants were recruited through OSS operations; and 195 misdemeanor cases were referred

to county prosecuting attorneys for prosecution. Since the first OSS, several shorter OSS operations have been conducted with similar, favorable results.

## **VI. Field interrogations**

A number of districts have stressed the importance of field interrogations in combating violent crime. In the Southern District of Alabama, the Mobile Police Department produced a two-segment training video highlighting the vital importance of proper field interrogations and made the video available to all law enforcement agencies. The video addresses the most common situations in which firearms are recovered: traffic stops, domestic violence situations, and the execution of search warrants. The training video stresses the importance of accurately and thoroughly obtaining and documenting the initial stages of an investigation. Officers are taught that the manner in which a suspect is questioned is very important to a successful prosecution. Officers are also taught to ask open-ended questions and to make sure that all of the witnesses on the scene are asked about their knowledge of the firearm and the suspect's connection not only to the recovered firearm, but also to any firearm.

The District of South Carolina also regularly conducts training with local officers and provides them with a laminated double-sided card outlining the federal firearms laws and listing the telephone numbers for ATF and the USAO offices across the district, so that local officers know exactly who to contact should they have a case that they wish to refer for federal prosecution. Additionally, they created a double-sided laminated "Debriefing Questions" sheet, which outlines basic and in-depth debriefing questions in reference to firearm and drug offenses. The debriefing questions are used as a guide to remind officers that when they are debriefing a suspect, they should ask about guns, drugs, gangs, burglaries, and all other crimes that the suspect may have information about. This not only assists in investigations but can prove useful in obtaining appropriate enhancements under the United States Sentencing Guidelines.

## **VII. Task forces**

Across the country, districts have established working relationships with state and local law enforcement agencies to address gun violence in their respective communities. Through the PSN initiative, districts have enhanced established relationships with local and state law enforcement partners by developing task forces to combat violent crime.

One example of a federal task force are the ATF Violent Crime Impact Teams (VCIT), which use an integrated federal, state, and local law enforcement strategy to identify, disrupt, arrest, and prosecute the most violent criminals in select U.S. cities. The VCIT concept directs ATF resources from across the United States to target specific areas that are experiencing a level of violent crime higher than the national average, particularly firearm-related violent crime. The VCIT strategy employs a variety of innovative technologies, investigative techniques, and analytical resources. The ability of the VCIT to focus on a small target area and flood the area with the integrated resources of other partners is critical to the success of the program. Today, 31 Violent Crime Impact Teams operate nationwide in 18 field divisions. The teams are staffed by ATF special agents, intelligence research specialists, investigative assistants, state and local officers, and other federal agents.

Another example of a federal task force is the United States Marshals Service Fugitive Task Forces, which are multi-agency task forces responsible for apprehending violent fugitives. For example, the Northern District of Ohio's Violent Fugitive Task Force (NOVFTF) has worked collaboratively with law enforcement agencies throughout the district since 2003 to arrest violent fugitives. NOVFTF recently

reached a milestone with the arrest of its 15,000th fugitive, including over 200 homicide suspects, and in the process has seized more unlawful firearms than any other similar task force. The NOVFTF is comprised of 200 law enforcement officers from over 60 agencies, and has offices in Cleveland, Lorain, Akron, Toledo, and Youngstown.

The FBI has also established Safe Streets Task Forces in cities across the country. The FBI seeks not only to disrupt but ultimately to dismantle the entire gang enterprise. This is accomplished by targeting and prosecuting the hierarchy of the enterprise and forfeiting the enterprise's accumulated assets. The two keys to the Safe Street Task Forces success has been the strong partnership between the FBI and USAO with local law enforcement and the ability to pool resources to target the entire organization/gang, instead of just a few members. Local law enforcement officers assigned to the Safe Street Task Forces bring with them a working knowledge of the current gang activity in their jurisdiction as well as confidential source contacts. They are able to maximize this intelligence by sharing it with fellow task force officers and using federal resources, such as wiretaps and other electronic surveillance tools to further investigations. One example is the Eastern District of Kentucky where the Safe Streets Task Force focuses on drug activity by individuals with significant criminal histories or those with connections to violent crimes. The Task Force is coordinated by an FBI agent and staffed by individuals from various local police departments. The Task Force will adopt local investigations for federal prosecution when the offenses and defendants are sufficiently significant to merit federal prosecution. However, the focus of the Task Force is to pro-actively target groups that engage in the most dangerous ongoing drug activity and conduct long-term investigations, including informant operations, undercover buys, and federal wiretap proceedings, to root out and convict as many members of the organization as possible in order to provide for maximum benefit to the community.

In an effort to facilitate collaboration and pool enforcement resources, the Central District of Illinois developed a DRAGUN (DRugs And GUNs) team to coordinate the identification and prosecution of armed felons. The DRAGUN team, which is comprised of federal, state, county, and municipal law enforcement, works to achieve three main goals. First, the team composed a "Top Ten List" of the worst offenders in the region and targeted them for prosecution. Second, the team worked to ensure that all armed felons were prosecuted in the court system that could achieve the most severe sentence, whether it was state or federal court. Third, the DRAGUN team targeted the community's drug trafficking and gang problems. The team meets twice each month to brief each other on current violent criminal activity in their respective jurisdictions, to update and modify the standing top offender list, and to prioritize targets. The essential strategies used by the team to combat violent crime are directed/saturated patrols in areas of recent weapons violence and gang activity; multi-jurisdictional surveillance to establish confidential information and sources; and coordinated parole sweeps and firearm owner consent searches. The DRAGUN team achieves its objectives by sharing information and by working together and erasing jurisdictional lines. The single most critical component of their success is effective communication.

The Arizona Corridor is one of the busiest and most violent smuggling corridors in the country. The violent, collateral crimes related to the smuggling infrastructure include kidnaping, theft by extortion, assault, rape, murder, home invasions, and vehicle collisions while attempting to evade the police. In response to the consequences suffered by the state, both in terms of quality of life and economics, the Illegal Immigration Prevention and Apprehension Co-op Team (IIMPACT Arizona!) was created. IIMPACT Arizona! is a multi-agency project, managed by the Arizona Department of Public Safety's (DPS) Gang and Immigration Intelligence Team Enforcement Mission, designed to address rising crime associated with illegal immigration. IIMPACT provides investigative resources and removal assistance to local jurisdictions plagued by illegal immigrant drop houses. The three IIMPACT investigation squads are comprised of personnel from DPS, ICE, and the Phoenix Police Department. These squads conduct independent investigations and provide assistance with the investigation of property, financial, and

violent crimes associated with illegal immigration and human smuggling in the greater Phoenix and Maricopa County areas. From January through October 2008, IIMPACT arrested 151 suspects, 60 of which were charged with kidnaping, 28 charged with assault, 43 charged with extortion, 35 charged with other felonies, and lodged 56 weapon charges. Additionally, 113 human smugglers were arrested, 39 investigations were opened, 3 of which were tied to homicides, and nearly \$130,000 was seized.

The District of Arizona also established a Neighborhood Renewal Task Force to develop a plan to implement short-term, intermediate, and long-term strategies and programs to address violent crime, blight, and overall community sustainability. The focus of the task force was to ensure safe neighborhoods through law enforcement stabilization and enhanced enforcement strategies; improve the physical condition of the neighborhoods through enhanced code enforcement and comprehensive revitalization efforts; implement community building models to engage the community leadership and strengthen the sense of community; and create a sustainable community with a stable economic and social foundation. Four subcommittees were established to address key focus areas: community safety; education and youth services; housing and community development; and land use and planning. Research by each subcommittee resulted in several different but important observations. First, gang activity was the catalyst for much of the crime. Many of the youth in these neighborhoods start joining gangs at an early age and are responsible for a large number of violent crimes and vandalism. Additionally, many of the older gang members are now being released from the correctional system and reentering these neighborhoods. Also, it was apparent that several of the neighborhoods were plagued by varying degrees of physical blight and decay. The success in moving forward required resident involvement/civic engagement, neighborhood inventories and assessments, blight removal, community education and housing, human services, and recreational and economic development opportunities. Through the combined efforts of the four subcommittees, short and long term crime suppression efforts reduced the violent crime in the focus neighborhoods by 23 percent comparing the first 9 months in 2008 to the same time period in 2007, and contributed to a 42-percent reduction in homicides in the South Mountain Precinct from 45 in 2007 to 26 in 2008.

### **VIII. Broken windows strategy**

In 1982, James Q. Wilson and George L. Kelling created the broken windows theory when they wrote "Broken Windows: The Police and Neighborhood Safety." The premise of their theory is that neighborhood physical and social disorder is a precursor to serious crime. They argue that physical signs of disorder, such as broken windows, graffiti, or abandoned buildings, and social signs of disorder, such as homelessness or panhandlers, give rise to apathy and fear among residents. When residents experience fear and apathy, they become unwilling to work together to improve their neighborhood. Wilson and Kelling, therefore, contend that to avoid serious crimes, law enforcement should police these minor crimes and disorder. Police agencies began to respond to the physical and social disorder in communities by using community policing. Community policing is a model of policing that encourages collaboration between the police, the local community, and other partners to identify and solve community problems. In this model of policing, community members become active allies in an effort to enhance neighborhood cohesion and safety. Community members become active partners with law enforcement and are able to voice their concerns and solve problems.

In October 2003, ATF and the Fort Worth Police Department in the Northern District of Texas began a joint investigation regarding a crack cocaine distribution ring, which was operating 24 hours per day on and around the 5100 block of Anderson Street. Many residents in the area had complained for some time that drug dealers, drug buyers, and prostitutes had infested their neighborhood and they wanted police to address the problem. Although the Fort Worth Police made numerous drug related arrests, they

were unsuccessful in clearing the neighborhood of the drug dealers. Those who were arrested would simply post bond, get out of jail, and return to Anderson Street to conduct drug deals. This frustrating process led to the partnership between the ATF, Fort Worth Police, USAO, and the community to address this ongoing problem. During the 9-month investigation, officers made undercover purchases of crack cocaine and executed several search warrants which yielded both drugs and weapons. A coordinated raid by various law enforcement officers brought the initiative to an end and resulted in the arrest of numerous suspects and the seizure of drugs and weapons. In an effort to take back their neighborhood, the residents formed a Citizens on Patrol watch group and began to work with the police to identify code violations and criminal activity. Residents initiated a bimonthly newsletter alerting the community to changes or new zoning, housing or code compliance issues. As citizens began taking an active crime prevention stance, pride was restored in this neighborhood. The depth of pride was evidenced by the residents purchasing neighborhood markers renaming their community, Sunrise Edition. Sunrise Edition has gone from a hotbed of crime to a peaceful neighborhood that flourished due to the cooperative partnership between law enforcement and the law-abiding residents.

## **IX. Probation and parole sweeps**

Probation and parole sweeps are other useful tools in the crime prevention strategies of both community corrections and law enforcement to combat violent crime. The Fourth Amendment permits warrantless searches of parolees or probationers upon a reasonable belief that contraband or evidence of a violation of the conditions of release may be found. A search condition in a probation or parole order as a standard or special condition of release is crucial, especially when supervising violent felony and misdemeanor individuals. There are two major types of sweeps that may be conducted: compliance checks and warrant/absconder apprehension. In conducting compliance check sweeps, probation or parole officers will typically partner with local law enforcement when performing unannounced compliance checks at the residence of the probationers and parolees. The goal of the compliance check is to make sure the probationer or parolee is residing in the location they've indicated to their officer and that he or she is in compliance with the conditions of his or her probation or parole. During the compliance check, the probationer or parolee may be requested to submit to drug testing or be confronted by probation or parole officers about noncompliance issues. While at the probationer's or parolee's residence, if the probation or parole officer has a reasonable belief that the individual is in violation of his or her release, a search of the residence may be conducted. It is not uncommon during these types of searches to find guns and other weapons, drugs, and other prohibited items.

In an effort to deter newly released felons, the District of South Carolina developed a partnership with the South Carolina Department of Probation, Parole, and Pardon Services (SCDPPPS) to ensure that state probation/parole agents and the state probationers were fully informed about federal firearm laws and penalties. As part of this partnership, 450 state probation agents in 46 county offices across the state were required to complete mandatory computerized training in federal firearm laws as part of their yearly in-service training. The USAO, in addition to helping draft the training program, provided each agent with a laminated card outlining the federal firearm laws and with brochures that could be provided to the felons. In turn, these state probation/parole agents make all offenders under their supervision aware of the federal firearm laws and have each offender sign an acknowledgment form stating that they are aware that their felony conviction prohibits them from possessing firearms and ammunition. One important result of this partnership is that SCDPPPS revised their policy to require that ATF be notified each time a felon on state probation is found in possession of a firearm, ammunition, or a bulletproof vest. ATF then reviews the case for potential federal prosecution. In an effort to facilitate this partnership, each state probation agent was provided a contact sheet with the telephone numbers, including cell phone numbers, for the ATF agents assigned to their areas of the state. This has not only encouraged networking between the

federal agents and the state probation agents, but has assisted in a number of investigations across the state as state probation agents are privy to a wealth of information concerning these offenders, such as their current addresses, gang affiliations, and family connections, which can be very useful to law enforcement.

## **X. Focused deterrence**

Another strategy that has gained a lot of success recently is focused deterrence through lever pulling. The concept is that the deterrence message of heightened likelihood of incarceration for gun crime must be communicated in as many ways as possible to the small group of repeat offenders most responsible for gun crime. The case screenings and most violent offender lists are tools for identifying the individuals who need to hear the deterrence message. Additionally, the offender notification meetings are a vehicle for communicating the message that armed felons will be aggressively prosecuted, for providing opportunities for those offenders motivated to change, and for building partnerships with community members and social service providers.

The District of Connecticut implemented focused deterrence through monthly offender meetings, during which a group of law enforcement officers and community partners, working in coordination with the Connecticut Board of Parole, the Connecticut Probation Office, and the Connecticut Department of Corrections, speak to 35 to 90 violent felons who are under some form of court supervision. During the first part of the meeting, officers explain the team approach to investigating and prosecuting gun crime, review the federal penalties for firearms and narcotics violations, discuss recent cases that have gone through the state and federal system, and attempt to persuade the attendees to think twice before possessing a firearm. During the second part of the meeting, community resource partners discuss the availability of services to assist with anything from continuing education or obtaining a GED; fatherhood issues, such as custody, visitation, and support; obtaining identification such as a valid driver's license or certified birth certificates; and providing career resources, such as interview skills and resume writing. In addition, at least one former offender addresses the group and discusses his own personal experience with serving a lengthy prison sentence for gun possession. Through these meetings, they have reached over 7,000 probationers and parolees. Throughout the year, they also conduct job fairs for offenders by using the service providers who speak at the offender meetings.

In addition to the adult offender meetings, the District of Connecticut also conducts youthful offender and gang intervention meetings. Each month, they conduct a meeting with 16- and 17- year old individuals who a state court has adjudicated as youthful offenders or a school superintendent has identified as perpetually truant. Attendees view a DVD entitled, "Mandatory Sentence," which was produced by the music group 4Peace in the District of Massachusetts. The 19-minute video illustrates in a credible and straightforward manner the real effects of being arrested for gun possession. After the video, law enforcement officers, probation officers, and several convicted felons address the group and candidly explain the realities of being prosecuted in federal court. At the conclusion of the meeting, each attendee is required to meet with one of the many service providers, who offer job training, mentoring, tutoring, and other services. The gang interventions are similar in nature and each month focus on a different street gang, with the goal of educating members of the gang of the consequences of their actions.

## **XI. Technology-based strategies**

Law enforcement agencies have also focused on utilizing advanced technology to combat violent crime. One such technology is Crime Gun Tracing, which is the systematic process of tracking the movement of a firearm recovered by a law enforcement agency (i.e., crime gun), from its origin (e.g.,

manufacturer/importer) through the chain of distribution (e.g., wholesaler/retailer) to the first non-licensed purchaser of the firearm. A successful trace will identify the licensed dealer who sold the firearm and provide the purchaser's name and identifiers used at the time of firearm purchase, including full name, address, and government-issued identification. Comprehensive crime gun tracing occurs when an individual law enforcement agency endeavors to trace every firearm recovered during an established period of time. ATF's National Tracing Center processes more than 300,000 firearm trace requests for both foreign and domestic law enforcement agencies annually. The information obtained through the individual trace of a firearm can be used to develop new investigative leads, potentially leading to the identification of witnesses and documentary evidence. Additionally, comprehensive crime gun tracing provides law enforcement agencies with a better picture of the sources of crime guns in their area.

Accredited law enforcement agencies can request gun traces themselves through ATF's free web-based tracing tool, eTrace. Crime gun tracing is expedited under this program because traces are submitted electronically directly to ATF through eTrace. Those agencies that sign up to participate in eTrace agree to comprehensively trace all recovered firearms. The agencies receive an accurate picture of the number of traces, top firearms recovered, top crimes associated with recoveries, top firearm dealers, age of possessors, and time to crime. In addition, eTrace has a referral list feature for each firearms trace which provides the agency with the name, contact information, and trace numbers for any other law enforcement agency that has firearms traces with matching purchasers, possessors, dealers, and recovery locations in common with the individual trace.

Additionally, through its National Integrated Ballistic Information Network (NIBIN) Program, ATF deploys Integrated Ballistic Identification System (IBIS) equipment to federal, state, and local law enforcement agencies for their use in imaging and comparing crime gun evidence. This equipment allows firearms technicians to acquire digital images of the markings made by a firearm on bullets and cartridge casings so that the images can then undergo automated initial comparison. If a high-confidence candidate emerges, firearms examiners compare the original evidence to confirm a match. By minimizing the amount of non-matching evidence that firearms examiners must inspect to find a confirmable match, the NIBIN system enables law enforcement agencies to discover links between crimes more quickly, including links that would have been lost without the technology. In funding and supporting this program, ATF provides federal, state, and local law enforcement agencies with an effective intelligence tool that many could not afford on their own. The system also makes it possible to share intelligence across jurisdictional boundaries, enabling federal, state, and local law enforcement agencies to work together to stop violent criminals.

ATF purchases IBIS equipment for deployment and provides for regular upgrades and service, as well as administering the network over which it communicates. Additionally, ATF provides a week-long training course for new users of the system. In return, NIBIN partners agree to support the program with adequate staffing and resources, to enter as much crime gun evidence as possible into their IBIS systems, to share evidence and intelligence information with other law enforcement agencies, and to abide by ATF regulations for use of the NIBIN system.

While DNA has long been utilized in violent crime investigations, many law enforcement agencies are now utilizing DNA in their firearm investigations. DNA from skin cells, often referred to as touch evidence, can be left behind on many surfaces after being handled or touched by an individual. Forensic crime laboratories have successfully developed DNA profiles that were subsequently uploaded into the Combined DNA Index System (CODIS) from trace evidence collected off various surfaces including skin, firearms, knives, clothing, and door handles. The District of Kansas has utilized DNA testing in their firearms investigations through the assistance of the Kansas Bureau of Investigations laboratories and the Johnson County Crime Lab. Because DNA testing can be costly and time consuming, they are selective in the cases that are referred for DNA testing (i.e., cases in which possession is at issue).

As part of this program, the USAO conducted extensive training with law enforcement in the collection of firearms and preservation of DNA evidence.

Electronic gunfire detection systems are another technological tool utilized by several districts to combat firearm violence. The District of South Carolina, with assistance from the North Charleston Police Department, the Charleston Police Department, and the National Law Enforcement and Corrections Technology Center (NLECTC) acquired electronic gunfire detection technology and placed it in two areas that were determined by police department data to have the highest number of shots-fired calls. While many companies offer electronic gunfire detection systems, the District of South Carolina used ShotSpotter Gunshot Location System® (GLS), which is a network of sensors and proven audio analytics that generate prompt alerts that include exact incident location along with critical and timely situational awareness information. The systems audio analytics explicitly identify impulsive sounds such as weapon discharges and explosions and can be trained to detect other threats, such as approaching helicopters. Incidents are explicitly identified, classified, and logged for aggregate analysis to reveal patterns, trends, and hot spots. Forensic data can either corroborate or refute testimony and aid with crime scene reconstruction.

ShotSpotter GLS is actively used by law enforcement and homeland security agencies across the United States and is deployed in Boston, Charleston, SC, Chicago, Los Angeles, Oakland, New Orleans, San Francisco, St. Louis, and Washington, DC. When combined with crime analysis and intelligence-lead policing policies, agencies report reductions in violent crime up to 35 percent and 60 to 80 percent reductions in errant gunfire rates. In addition to typical alert-and-dispatch applications, ShotSpotter GLS is used for short and medium duration tactical operations, dignitary protection, organized gang violence suppression, active shooter deterrence, and long-term crime trend intelligence and mapping.

In addition to providing the precise location of gunfire events, the system captures and permanently stores geo-referenced, time-stamped event audio as heard by each sensor. Incident information, including event audio, is readily available to field units and command and control centers via IP-based networks, which allows for easy interoperability within a common operating picture environment. System data provides personnel with situational awareness prior to arriving on scene. Additional available information includes an indication of the weapon type, number of rounds fired, number of shooters or explosions, direction, speed, and sequence of weapons events.

Sensors may be permanently attached to fixed, stationary objects to allow agencies to monitor and protect known problem areas. Alerts are pushed to one or more consoles located in dispatch centers, command and control centers, and supervisor stations. Alerts can be sent to mobile computers in the field via wireless IP networks. Sensors can also be covertly and temporarily deployed to monitor and protect known problem neighborhoods and operating areas to support specific tactical operations and gun violence suppression.

Finally, the Northern District of Illinois has effectively used public surveillance cameras in their efforts to fight gang crime, as well as maintain reductions in violent crime after enforcement activities have been conducted. Through public housing safety initiatives, the USAO supported three large gang investigations in Chicago focused on public housing complexes. One of these investigations targeted an area known as The Square, which was a Section 8 housing complex that was literally surrounded by a wall on three sides. After 56 defendants were arrested as a result of this investigation, the Chicago Police Department installed "blue light" cameras to assist the department in maintaining safety in the community post-takedown. Blue light cameras provide direct video to a command center to allow constant surveillance of an otherwise difficult area to monitor. These cameras receive their blue light moniker because at the bottom of the camera there is a blue light flashing below a police emblem, making the presence of the cameras known to the community in an effort to deter criminal conduct.

## XII. Conclusion

As outlined above, there are a number of innovative ways to address gun and gang violence in communities. Law enforcement agencies must determine which strategy would be most effective and efficient in addressing their district's violent crime problem. Districts are encouraged to network with each other in an effort to "not recreate the wheel" in implementing these strategies. The proven law enforcement strategies outlined above are only a small sample of successful programs across the country. More information about these programs and others can be obtained from the national Project Safe Neighborhood/Anti-Gang Coordinator, Gretchen Shappert. ❖

### ABOUT THE AUTHOR

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The preceding article was taken largely from the draft edition of *The Project Safe Neighborhoods Deskbook*.

# Project Safe Neighborhoods Training

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## **I. Introduction**

Gun crime and its ever-present companion, gang violence, affect every community in every district. Accordingly, communities have a desire and willingness to tackle these problems. Law enforcement personnel, attorneys, and school official training, sponsored by Project Safe Neighborhoods (PSN), provides communities with the tools and information necessary to fight back.

Since its inception, PSN has committed significant resources to support training. PSN provides expansive and comprehensive training to federal, state, and local law enforcement officers, prosecutors, and other PSN partners. Training topics include the identification, safety, interdiction, trafficking, and tracing of firearms; interpretation and application of federal and state firearm statutes; federal and state search and seizure laws; crime scene and evidence management; and strategic planning. A network of national training and technical assistance providers support PSN training programs. In addition, every United States Attorney's office conducts local training sessions. Finally, because PSN's focus has expanded to include gang crime, DOJ-sponsored anti-gang training is offered nationwide.

This article briefly reviews the training options available under PSN and highlights the specific training programs that have worked for other USAOs throughout the country.

## **II. Law Enforcement**

### **A. Basic police academy training**

Every future law enforcement officer attends a basic police academy which provides the perfect opportunity to educate attendees about PSN initiatives to deter violent crime. Attendees are provided a review of federal firearms laws that local police officers are likely to encounter in performing their daily patrol duties. Instruction is provided within the context of local enforcement of traffic laws and other routine patrol functions where local police officers frequently encounter potential violations of federal firearms laws. Course instruction highlights the major differences between federal and state laws and what steps officers should take in the event a case qualifies for federal prosecution.

For example, in the District of Connecticut, approximately six times each year, a state and federal prosecutor jointly conduct hour-long training sessions at the local police academies. Each training session is focused on a specific topic including Fourth, Fifth, and Sixth Amendment law; use of the federal grand jury; effective investigative techniques; working with confidential informants, cooperating witnesses, and anonymous tipsters; and best practices. Over time, the district discovered that these training sessions improved the quality of cases, encouraged communication between the arresting officers and prosecutors, and forged good working relationships between the local police and state and federal prosecutors.

## **B. Roll call training**

State and local departments are often strained when officers are pulled away from their assigned duties or compensated for overtime to attend training. Conducting specialized training at roll calls and staff meetings affords minimal interference with work schedules. During such training sessions, experienced instructors can primarily focus on the enforcement and prosecution of gun cases involving prohibited persons and illegal weapons. Using this approach, training can be coordinated to capture the largest possible audience at one time.

The Eastern District of Kentucky has experienced great success by implementing roll call training with local and state law enforcement partners. To meet the goal of reaching every member of a department, the district utilizes a scheduling method that allows employees to attend routine roll calls and adds an additional training date so they can train only those who missed the first training session. This program succeeds with the support of the Chief of Police and his command staff. The district's PSN Coordinator garnered this support by providing training to the top levels of command first so that they would know the importance and content of the material being taught. When meeting with the command staff, the PSN Coordinator addresses the purpose and goals of the program and emphasizes that they are striving to help save the lives of officers and members of the community by reducing gun-related violent crime rates. This shared goal strikes a chord with administrators and convinces them that this is a positive investment for their department. After being trained themselves, the command staff likewise is convinced that the roll call training is worthwhile and are more willing to devote resources and manpower to training their department.

In Kentucky, a number of topics were integrated into a training strategy that focuses on tools that officers can use on the street to identify gun-related crimes and to acquire evidence to prove the case in court. The training addresses characteristics of armed offenders, concealment methods, and firearms identification, and includes a short video which allows officers to visualize where offenders most often conceal their weapons. The training also presents interview and interrogation strategies and provides the officers with a list of questions typed on a laminated business card that they can take with them for quick reference in the field. Another part of the training focuses on firearms investigation techniques. Officers are provided a firearms investigation checklist and taught how to initiate a firearms investigation to determine whether a person may be prohibited from possessing a firearm or may be a firearms trafficker. They discuss federal laws and how they can have a significant impact on prosecution. Attendees are given a second laminated card, entitled "Quick Reference to Federal Firearms Laws," that contains easy-to-read definitions and descriptions of violations. Finally, they are given contact information for local Bureau of Alcohol, Tobacco, and Firearms (ATF) agents and Assistant United States Attorneys, and are encouraged to share information.

As another example, the District of South Carolina's USAO and ATF agents conduct in-service training for numerous state and local law enforcement departments across the state. Working together, the USAO and ATF have developed an initial one-hour training presentation that focuses on three areas: (1) disseminating general information regarding their PSN goals and objectives; (2) emphasizing the difference between federal and state firearms laws; and (3) informing officers of the elements necessary to successfully prosecute a federal case. While the training focuses on informing the state and local law enforcement officers of PSN's prosecution, education, and prevention strategy, it also demonstrates the benefits of comprehensive firearms tracing, crime mapping, and prosecution strategy coordination. During the training, officers are given a laminated copy of the federal firearms laws, which also contains the telephone numbers of the ATF and USAO officers in their area of the state. Officers are also provided a laminated debriefing card, which outlines basic and in-depth debriefing questions in reference to firearm and drug offenses, and reminds officers to debrief suspects about any other criminal activity about which they may have knowledge. The debriefing card was drafted as a guide to remind officers that when they

are debriefing a suspect, they should ask about guns, drugs, gangs, burglaries, and other crimes about which the suspect may have information.

The USAO for the Western District of Tennessee has also creatively implemented successful roll call training. The USAO partnered with the District Attorney General's Office to coordinate a "training blitz" to kickoff the district's PSN efforts. The blitz, designated to reach every patrol officer in the county, involved a 2-hour training block offered at 5:30 a.m., 9 a.m., and 6 p.m. for 5 consecutive days. This unorthodox schedule allowed each shift to attend "on the clock" so that the various departments did not have to pay overtime to officers while they were training. The United States Attorney, the county District Attorney, and the PSN Coordinator personally attended each session to make opening remarks. The trainers spoke on the success of Richmond, Virginia's Exile Program, innovative approaches to firearms investigations, and officer safety. Approximately 1,200 local officers attended these sessions, which also served as a pep rally for frontline officers. The officers were informed that they are key to the success of any gun initiative and that PSN is a top priority of both the United States Attorney and the District Attorney General.

Reviews of arrest tickets executed both prior to and following the training blitz revealed a dramatic improvement in the quality of investigation and documentation of gun arrests. During the training, officers were assured that gun arrests would be treated seriously. Officers were promised feedback on their arrests in the form of notification letters sent to each arresting officer when a case is accepted into the program and when the case is resolved. The officers were also provided a copy of any indictments and judgments stemming from their arrests.

### **C. Evidence and crime scene training**

Though all law enforcement agencies employ evidence procedures and training, oftentimes the police community lacks consistent direction about the handling of ballistics evidence at crime scenes. Despite the existence of individual departmental policies, the absence of uniform, statewide protocols may result in deficient handling of crime guns and evidence, resulting in compromised prosecution of defendants. For example, through improper handling or packaging, officers may remove fingerprints from a gun used to commit a crime; may fail to submit firearms for ballistics testing, forensic testing, or tracing; or may submit firearms in an untimely manner. Sometimes, appropriate packaging materials may not be available to facilitate the preservation of the firearm. Situations such as these can create problems in court.

The District of Massachusetts responded by creating a working group to develop model crime gun protocols for the district. Facilitated by the district's PSN/Anti-Gang Coordinator, the group meets regularly to address these and other issues and to offer guidance on evidence handling. The members of the group include representatives from the Massachusetts State Police Fusion Center and Forensic Lab, the Boston Police Department's Policy Advisor, the Undersecretary of Forensic Science from the Executive Office of Public Safety and Security, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the PSN/Anti-Gang Coordinator.

The group's meetings center around determining the most efficient and effective procedures for law enforcement in the handling and processing of crime guns and ballistics evidence in order to take advantage of the technology available and, as a result, to make the best possible criminal case. The group is in the process of drafting model protocols, researching the most suitable sources to obtain appropriate tools for recovering guns used to commit crimes (boxes, tie wraps, gloves, tags, etc.), and developing "kits" (to be funded by PSN) containing complete materials and instructions for crime-scene ballistics evidence recovery, to insure proper and uniform handling.

The USAO in the Northern District of Indiana responded to similar concerns by partnering with a local college's criminal justice center to conduct law enforcement evidence technician training courses. This advanced training instructs investigators and evidence technicians on how to preserve a crime scene and document evidence through sketching, photography, videography, and written notes. Officers learn how to recognize and collect evidence using casting materials and gelatin lifters. The courses focus on locating and preserving gun-related evidence. Individuals who attend these courses are involved in many hands-on activities throughout the four, half-day courses.

The training had almost immediate results when, after the first training session, a graduate of the class helped to identify a suspect in a gun-related triple homicide. The officer, who noticed a muddy footprint not far from the crime scene, utilized one of the techniques taught in the class for casting footwear impressions. The resulting footwear impression clearly matched the suspect's shoes. The evidence, when presented to the suspect, resulted in a confession detailing his involvement in the triple homicide and led officers to his two accomplices.

#### **D. School resource officer and campus security training**

In light of recent school shootings and campus violence, the training of school safety officers has become a priority for many communities. School Resource Officer (SRO) programs place law enforcement officers in schools with the goal of creating and maintaining safe, secure, and orderly learning environments for students, teachers, and staff. An SRO program designed to proactively bring prevention and intervention into the schools reflects a community's desire to ensure that its schools are safe and secure. Often, SROs represent the first law enforcement personnel to have contact with potential gang members and students who may want to commit criminal acts.

For the past 17 years, the United States Attorney's Office in the District of South Carolina has sponsored a day-long Safe Schools Conference entitled "Law Enforcement and Schools: A Partnership for Safe Schools." The conference, which is held in four locations across the state during the spring of each year, is open to all South Carolina school personnel and law enforcement. The South Carolina Department of Education co-hosts this training, which is spearheaded by the District's LECC Coordinator. Each year approximately 600 school administrators, teachers, and law enforcement officers from across the state attend one of the four conferences. The seminars focus on items or topics of mutual concern to both law enforcement and school personnel. Topics covered during past seminars have included "A Critical Incident: What to do in the First Twenty Minutes," "Gangs in Schools: Trends and Prevention," and "MySpace/Internet Investigations." The most recent conference featured the theme "Lessons Learned," and included speakers who discussed several school shootings and addressed how to handle children living with chemically-dependent adults. Additionally, "The Insiders," a group of juveniles currently incarcerated with the South Carolina Department of Juvenile Justice, spoke about their experiences and making better choices upon their release.

In the Northern District of Indiana, the School Resource Officer Consortium of Indiana (an umbrella program under the District's Keeping Our Communities Safe Initiative, which is an integral part of the Project Safe Neighborhoods/Gang Initiative), was created to serve Northern Indiana School Resource Officers. With the growing number of SROs sponsored by local and state agencies in Indiana, an association designed to facilitate the training and networking interests of those officers was greatly needed.

The consortium was created to meet the demands for a district-wide training and networking association serving SROs. In addition, the consortium strives to provide a forum for the exchange and coordination of programs, ideas, and concepts pertaining to school resource officers and school-based policing. It serves to coordinate the efforts of the membership into a cohesive unit dedicated to the

reduction of crime, violence, and juvenile delinquency on school campuses throughout the Northern District of Indiana. The association conducts regional information-sharing events, distributes a resource newsletter, and provides SRO-related training when available.

SROs are trained to fulfill three roles: first and foremost, they are law enforcement officers whose primary purpose is to keep the peace in their schools so that students can learn and teachers can teach; second, they are counselors who provide guidance on law-related issues to students and act as a link to support services both inside and outside the school environment; and finally, they are law-related teachers who provide schools with an additional educational resource by sharing their expertise in the classroom. Beyond these identified roles, and perhaps most importantly, SROs are positive role models for many students who are not exposed to such role models at home and in today's society.

The District of Connecticut runs an innovative training session for SROs and school administrators directed at teaching them how to develop effective youthful offender and gang intervention initiatives in their schools. In conjunction with Project Sentry, the music group 4Peace came to a 2-day conference in Bridgeport and Hartford to discuss how to best use the various videos they have produced to further these efforts. In addition, a panel of speakers from various PSN cities in Connecticut discussed the development of their youthful offender meetings and their use of the 4Peace videos. The goal of the conference was to provide SROs and school administrators with the tools necessary to allow them to organize and implement gang intervention meetings in their schools. At the conclusion of the workshop, hundreds of middle-school age children in Hartford and Bridgeport attended a presentation by 4Peace focused on educating them about the problems associated with membership in, and association with, a street gang.

### **III. Specialized training**

#### **A. Online training**

The District of Maine developed an online training tool to reach those officers who are unable to participate in live trainings due to geographical restraints or their agency's lack of human and financial resources. The district implemented a Web-based PSN and federal firearms laws online training system developed by the Maine Chiefs of Police. This training tool offers a creative and affordable way to reach Maine's state and local law enforcement personnel who graduated from the Maine Criminal Justice Academy without federal firearms law training and/or who have been unable to attend live trainings offered by PSN Maine. The Maine Chiefs of Police developed the online tool in collaboration with experts in the field of on-line training, Justice Planning & Management Associates (JPMA), and with guidance on content from members of the Maine United States Attorney's Office and ATF.

These online classes are among a list of classes officers can use to meet their annual requirements for mandatory training. Each class is approximately 1-hour long and offers a brief examination at the conclusion for the officers to test what they have learned. One class is entitled "Federal Firearms Law Summary," while another is called "Federal Firearms Trafficking."

Moving forward, PSN Maine can insure that every law enforcement officer in Maine, particularly those who graduated from the Maine Criminal Justice Academy several years ago, will receive this training. Additionally, this training is available 24 hours a day, serving as a valuable reference tool for rural law enforcement officers who sometimes work alone and others who work many miles from live training sites. Even more exciting is JPMA's ability to track the number of officers who have successfully completed the training on-line. At the end of 2006, 20 percent of Maine's full-time officers had completed this training.

This online training, coupled with PSN Maine's success in becoming part of the mandatory curriculum at the Maine Criminal Justice Academy, insures that every new law enforcement officer in Maine will be educated on federal firearm laws and issues related to firearms trafficking.

## **B. Spanish for law enforcement personnel**

According to the latest United States Census data, the District of South Carolina has seen a large increase in the state's Hispanic population. While the southeast United States showed the most growth in Hispanic population, South Carolina ranked number one among all other states. Based on this information and due to the fact that the South Carolina Criminal Justice Academy is not able to offer Spanish language classes for law enforcement, the United States Attorney's Office for the District of South Carolina was determined to make this type of specialized training available to local officers at no cost to their agencies.

Utilizing PSN funding, the USAO in South Carolina partnered with local law enforcement agencies and the South Carolina Law Enforcement Officers' Association to provide much needed "Survival Spanish" to the South Carolina law enforcement community. The objective of the Survival Spanish classes was to provide practical, student-friendly Spanish language materials for police officers. The classes were specifically designed for a person with no prior knowledge of the Spanish language and to provide practical information that the officers could use anytime they communicate with a Spanish-speaking person. Instruction did not include the unnecessary and tedious grammar exercises found in most high school and college Spanish language courses. The program employed a variety of self-instructional techniques to provide the officer with immediate access to practical Spanish that they need during the workday. In addition, each officer received an easy-to-follow notebook, a laminated card with Spanish phrases frequently used by law enforcement officers to enable them to communicate effectively with a Spanish-speaking person, and an instructional CD with all of the phrases used in the class which would allow the officer to listen to a phrase, repeat the phrase, and then hear the phrase again to reinforce the correct pronunciation. These Survival Spanish classes provided South Carolina law enforcement officers with increased officer safety, increased community safety, enhanced job performance, while also projecting a positive image in the Hispanic community and providing officers protection from legal liability.

## **IV. Judges**

Many districts provide yearly training for all state and local court judges in an effort to educate them on the federal laws dealing with possession of firearms by prohibited persons, especially those convicted of criminal domestic violence and persons subject to restraining orders.

Working with the Maine Judicial Domestic Violence Advisory Committee, the USAO for the District of Maine and their VAWA Specialist participated in changing the language on Maine's Protection from Abuse Order form to ensure that it satisfies the requirements of federal firearms statutes. Maine's number of federal firearms prosecutions continues to increase as a result of its collaboration with local and state law enforcement and prosecutors. State judges have been educated on federal firearms laws and the importance of evaluating the appropriateness of firearm prohibitions in protection order cases. These changes have obviously resulted in a greater number of case referrals and, hopefully, increased victim safety.

The Northern District of Ohio and ATF sponsored an opportunity for local and federal prosecutors and federal district and appellate judges to shoot and learn more about firearms and the dangers faced by law enforcement officers who confront gun offenders. Indeed, the federal judges were

greatly impressed by the presentations and simulations and strongly recommended that more federal judges be exposed to this presentation in order to better appreciate the legal issues in the context of actual gun violence enforcement. ATF and state and federal prosecutors are planning for a larger program featuring a day at the range for state and federal judges.

## **V. State and local prosecutors**

In addition to the national training for state and local prosecutors coordinated through the National District Attorneys Association, USAOs across the country have implemented training programs designed to educate state and local prosecutors on the benefits of federal prosecution in firearms cases. Besides being informative, this training provides an opportunity for networking among the state and federal prosecutors in attendance.

One opportunity for USAOs to educate local prosecutors is to conduct training as part of the state prosecutors' annual training conference. In this setting, state prosecutors receive training from an Assistant United States Attorney on the elements of a federal firearms case, and learn about the potential penalties. The training also includes a comparison of the federal firearms laws and penalties with those of the states. This type of training often results in increased referrals for federal prosecution of gun crimes.

## **VI. Resources**

Every other year, national training is conducted at the PSN National Conferences, where the most successful anti-violence strategies are showcased and where training is provided to hundreds of local, state, and federal PSN task force members. Through the PSN National Training and Technical Assistance Program, federal, state, and local partners engaged in the PSN initiative have available to them a wide variety of no-cost training and technical assistance support. Access to the PSN-related services of each of these agencies or organizations is available through the USAO's PSN Coordinator (for state and local agencies) and through the National PSN Coordinator at the Executive Office of United States Attorneys. The current PSN training and technical assistance providers are:

- Academy for Educational Development
- American Probation and Parole Association
- American Prosecutors Research Institute (of NDAA)
- American University
- Bureau of Alcohol, Tobacco, Firearms, and Explosives
- Community Oriented Policing Services Office
- Community Policing Consortium
- Hobson and Associates
- Institute for Law and Justice
- International Association of Chiefs of Police
- Michigan State University
- National Crime Prevention Council
- National Sheriffs Association
- National Gang Center
- National Youth Gang Center
- Regional Information Sharing Systems

## VII. Conclusion

The development of an innovative training program has proven to be one of PSN's largest successes. What is unique about PSN training is its focus on cross-training. Whenever feasible, community members, crime prevention specialists, researchers, law enforcement personnel, and prosecutors are trained together to work as a team. Both at the local and national levels, PSN ensures that law enforcement officers and prosecutors have the training necessary to make the program succeed. For more information on PSN training or technical assistance, please contact your local PSN Coordinator.❖

### ABOUT THE AUTHOR

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# The High Point Strategy: Its Creation, Implementation, and Future

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## I. Introduction

“This is no longer a strategy. Now it is a movement.” David Kennedy’s words rang out across the crowded auditorium overlooking Central Park in New York. David Kennedy, Address at the National Network for Safe Communities: First Annual Conference (Dec. 2, 2009). The crowd responded with loud cheers and enthusiastic applause. Kennedy was correct. Hundreds, from leading government officials to neighborhood organizers, had gathered to celebrate and discuss what had become widely-recognized as one of the most successful antiviolence strategies in the nation: the High Point strategy. A few short years ago there had been no crowds, no applause, and Kennedy had difficulty getting anyone to listen to his ideas for violence reduction.

The High Point model started in High Point, North Carolina, in 2003, when Kennedy traveled from Harvard in an effort to promote a new strategy of drug violence reduction he was eager to try. For 5 years, Kennedy tried to sell the strategy to police departments across the country, but no one was buying. Mark Schoofs, *New Intervention: Novel Police Tactic Puts Drug Market Out of Business*, WALL ST. J., Sept. 27, 2006, at A1. In High Point, Kennedy met with the Chief of Police, a few of his command officers, and an Assistant United States Attorney from the Middle District of North Carolina. Kennedy’s strategy was an untested theory, but the group was desperate for a solution to the drug violence problem in High Point. They agreed to give Kennedy 30 minutes to make his pitch.

Today, the High Point antiviolence strategy is no longer an untested theory. It is no longer a strategy that causes law enforcement officers to scoff, roll their eyes, and refer to it as “hug a thug.” The strategy is a success. It has proven itself time and time again with nearly unbelievable reductions in violence, and every time it has worked it has drawn more followers. It has, in fact, become a movement. It is a movement made up of conservative law enforcement officers and liberal community activists, a movement that joins career prosecutors with lifelong criminal defense attorneys, and a movement that brings together prior offenders with probation and parole officers. Of utmost importance, it has become a movement that joins members of the poorest and most violent communities with all of those mentioned above.

These people join together because they have experienced the success of Kennedy’s strategy firsthand. They saw that it not only changed the lives of offenders but also the lives of the police and all of the members of the community where it was practiced. They saw a huge reduction in violent crime and drug dealing in their neighborhoods. In addition, and possibly more importantly, they saw a vast improvement in race relations in their communities. In sum, they saw that the strategy worked, they became converts, and the strategy became a movement.

In December 2009, hundreds gathered in New York at the first national conference of the National Network for Safe Communities (The Network) to participate in that movement. The Network is the latest step in Kennedy’s efforts to spread the strategy throughout the entire United States. This is the

story of how Kennedy's strategy went from that first meeting in High Point to the national movement it is today.

## II. High Point, North Carolina

In the fall of 2003, Professor David Kennedy, then of Harvard University, traveled to High Point, North Carolina, to meet with James Fealy, the new police chief in High Point. Kennedy had devoted his life to trying to find a solution to the violence that plagued the nation's cities. He was instrumental in the successful Boston Gun Project in the 1990s. Kennedy was not the typical criminologist. In an article last year in *The New Yorker*, John Seabrook described Kennedy:

David Kennedy is not a cop, or an academically trained criminologist, and his lack of formal schooling in either the practice or the theory of crime control may be his strongest qualification for his job. In the bifurcated world of criminology, Kennedy is able to speak to both cops and academics . . . . George Kelling, the coauthor . . . of the influential 1982 essay, "Broken Windows" told me. "Cops put on a tough front about crime, but they really do care, and David [Kennedy] speaks with passion, and with the credibility that comes from spending hours in the back of squad cars, so cops respond.

John Seabrook, *Don't Shoot; A Radical Approach to the Problem of Gang Violence*, THE NEW YORKER, June 22, 2009, at p. 34. Kennedy's appearance did not always appeal to law enforcement officers either:

Kennedy was tall and slim, and in the dark clothes he favored there was something about him of the High Plains Drifter—the mysterious stranger who blows into town one day and makes the bad guys go away. He wore a grizzled beard and had thick, unbound hair that cascaded halfway down his back. "What's some guy who looks like Jesus got to tell us about crime . . . ?" was the line around police headquarters.

*Id.* at 33.

Regardless of his background or appearance, Kennedy did have ideas about how to address violent crime and the drug trade that spawned it, and he wanted somewhere to try them out. Unfortunately, few decision-makers would listen to him. It was a risky strategy that involved redefining how the players in the community understood each other. Of most concern, it also involved not prosecuting people who committed crimes. That was a tough sale to law enforcement and community officials. No one would give Kennedy the chance to test his new ideas.

Chief Fealy, however, was ready to try something new. He had a serious problem. He had taken the job as Police Chief in High Point after leaving a career in police work in Austin, Texas. High Point had a population of approximately 95,000. Despite being located in one of the most beautiful areas of the nation, sections of High Point bore little charm. There were a large number of open drug markets operating in its streets and neighborhoods. Traditional policing had failed to address the problem. Children could not walk the streets for fear of the violence created by the open air drug markets. Seabrook wrote:

The Reverend Jim Summey, who was at the time the pastor of the English Road Baptist Church, in the center of the West End [of High Point] told me that on Sunday mornings there were so many drug dealers, prostitutes, and johns on the sidewalk in front of the church that worshipers coming for services couldn't steer their cars into the parking lot.

*Id.* at 39. High Point was a mess.

That fall, Kennedy met with Chief Fealy, Assistant United States Attorney Rob Lang (North Carolina-Middle), and High Point police command officers, Marty Sumner, Randy Tysinger, and Larry

Casterline. When Fealy first met Kennedy, he thought Kennedy's proposed strategy was ridiculous. *Id.* at 40. Kennedy asked for 30 minutes to discuss it with Fealy, and at the end of that time, Fealy was still listening. *Id.* Kennedy said he could significantly reduce the violence in a target area in High Point and do it for little or no new money. The High Point group was desperate. Years of intense police effort had not solved the problem. They needed something new and Kennedy's strategy, although novel, was essentially cost free. Together with his command staff and AUSA Lang, they decided to give Kennedy a chance to try his new approach in High Point. Even as they agreed to try it, they hardly expected that it would work. Kennedy, however, was confident that it would.

### **A. Kennedy's strategy**

Kennedy did not want to attack High Point's drug problem. Instead, he wanted to attack the overt drug markets operating there. He believed that "many community problems, including the most severe problems with violence and disorder, associated with the 'drug problem' are a function of drug *markets*, and particular *forms* of drug markets, rather than with drugs as such." DAVID KENNEDY & SUE-LIN WONG, PROGRAM FOR CRIME PREVENTION AND CONTROL, JOHN JAY COLLEGE OF CRIMINAL JUSTICE, THE HIGH POINT DRUG MARKET INTERVENTION STRATEGY 1 (Office of Community Oriented Policing Services, Department of Justice 2009) (emphasis in original).

Kennedy believed that overt drug markets led to crime hot spots, unusable public space, prostitution, transients, reduced property values, failed businesses, juveniles introduced to a life of crime, and open and notorious drug use. *Id.* Conventional enforcement and prevention efforts rarely shut down the entire markets. Sweeps and roundups reduced drug activity for a period but then the activity would return. As Dr. Hipple and Dr. McGarrell later wrote in their review of the High Point strategy:

Open air drug markets and drug enforcement have exacted a heavy toll on poor and minority neighborhoods. Drug markets both reflect and exacerbate breakdown in community social control characterized by disorder, crime, and fear of crime. As drug dealers exert control over public space, residents withdraw. At the same time, four decades of drug enforcement have resulted in cycles of enforcement that result in large numbers of young dealers being incarcerated only to be replaced by a new group of young people drawn to the economic rewards of drug sales.

NATALIE KROOVAND HIPPLE ET AL., DRUG INTERVENTION: IMPLEMENTATION GUIDE AND LESSONS LEARNED 4 (Bureau of Justice Assistance 2009).

Kennedy also believed that conventional enforcement and prevention efforts failed because the police did not trust the community, the community did not trust the police, and neither group trusted the drug offenders to act rationally, and this mistrust existed because the three groups misunderstood each other. Kennedy pointed out that "routine drug enforcement is often intrusive, with high levels of street stops, vehicle stops, and warrants served on residents" and frequently leads to high levels of arrests, conviction, and incarceration for young men in the community which renders them for all intents and purposes unemployable at family-sustaining wages. Kennedy & Wong, *supra*, at 2. Also, through the employment of intrusive police enforcement measures, law abiding members of the community often had hostile encounters with the police. *Id.*

An Assistant Police Chief from Cincinnati, a city that later invited Kennedy to assist them, described the effect of high-impact, "zero-tolerance" policing:

You say, "O.K., we're going to arrest everyone who jaywalks." So who do you arrest? Someone's grandmother, or the milkman, or some guy who has just worked a sixteen-hour day and is trying to get home as fast as he can. It's bullshit. Even in high-crime

neighborhoods, there are a lot of honest people living there. Meanwhile, the real bad guys—they know a sweep is on, so they just stay inside until things cool off.

Seabrook, *supra*, at 32.

Kennedy believed that high-impact policing led the community to distrust the police. The community came to believe that the law enforcement efforts targeted them as much as it did the drugs in their community. As Kennedy wrote, “The community believes that the drug trade could not exist without at least the acquiescence of the police and the other authorities . . . and that there are more drugs sold and used in majority neighborhoods, but that law enforcement has no interest in those people or those crimes.” DAVID M. KENNEDY, *DETERRENCE AND CRIME PREVENTION: RECONSIDERING THE PROSPECT OF SANCTION*, 143 (Routledge 2009) [hereinafter Kennedy I]. Kennedy also observed:

Today, one in three black men in this country will go to prison. In some communities, the majority of young black men end up with criminal records. . . . This is not about bias, profiling, abuse or any other way we usually talk about criminal justice problems. I work in these communities. The crime is real, and overwhelmingly the arrests are legitimate. But we are destroying the village in order to save it.

David M. Kennedy, *Drugs, Race and Common Ground: Reflections on the High Point Intervention*, NATIONAL INSTITUTE OF JUSTICE JOURNAL, Mar. 2009, at 12, 15 [hereinafter Kennedy II] (citations omitted). Ironically, the harder the police worked in a community, the more the community lost trust with the police.

Kennedy summarized what he believed were the misconceptions:

Law enforcement, communities, and drug dealers misunderstand each other in important ways. Law enforcement and other outsiders see no clear stand from the communities and believe that the moral strength of communities has been lost. Communities see law enforcement pursuing transparently ineffective and destructive strategies and infer corruption and deliberate oppression. Drug offenders do not see clear stands against drug offending from their own communities and believe that their own actions are excused, tolerated, and even celebrated.

*Id.* at 147.

Kennedy believed that all of these beliefs were wrong, but the problem was that none of the three groups told the other groups how they saw the other. As Kennedy pointed out, because the groups would not talk to each other, “these strong beliefs therefore go unexamined, unchallenged and become even more deeply internalized. The result is a profound racial schism with impact and implications well beyond issues of crime and drugs.” *Id.* at 144.

Kennedy believed that the truth was simple. Law enforcement was not against the community as a whole. The community did not want the drug dealers on their streets, and the drug dealers were not irrational because given the opportunity, the dealers would make rational choices in their own self-interest.

Kennedy also believed that while these misconceptions stood in the way of eliminating the drug markets from the communities, there was one common belief that was not a misconception and it too stood in the way. Low-level drug offenders faced little risk of punishment for their drug dealing. “Research shows that dealers can average hundreds of transactions between arrests, and that most drug arrests result in low-level sanctions. The prison risk per cocaine transaction, for example, has been calculated at 1:15,000.” Kennedy & Wong, *supra*, at 4–5. The deterrence value of standard drug enforcement was “almost nil, even in the midst of very high levels of police activity.” *Id.* at 5.

Kennedy's plan was to destroy the misconceptions between law enforcement, the community, and the offenders. He wrote that his High Point strategy:

explicitly recognized and addressed the “norms and narratives” around drug issues that are embedded in law enforcement, communities and offenders. In so doing, it recognized implicit common ground among all these parties and crafted—despite wide initial polarization—a strategic response in which all parties could change their behavior for mutual benefit.

Kennedy I, *supra*, at 144. Kennedy wrote:

We found that when we discussed race in the context of a core community issue—drug markets—we could make progress because everyone agreed on the basics. The community, the police, even the dealers wanted to be safe. Everyone wanted to stop filling prisons. Everyone wanted the most dangerous people stopped and help for those who would take it. Everybody would rather have the community step up and law enforcement step back.

Kennedy II, *supra*, at 15.

Kennedy also believed that it was essential to substantially increase the chance of sanctions for drug offenders if they broke the law—not necessarily severe sanctions, but certain and swift. This led to the idea of the “banked” case: a prosecutable drug offense not in fact pursued but held at the point of signing the arrest warrant. Initially seen by many in law enforcement as “catch and release “ and “letting them go,” the banked case was in fact cold-blooded deterrence: it let law enforcement say to dealers, with complete credibility, that any indication that they were dealing would lead to their immediate arrest on the pending case. Kennedy believed it was essential to give them the chance they claim they have never received. He wrote:

If dealers and families in fact start leading legitimate lives, that is a good thing, and attachment to legitimate others and activities will help prevent their and the community's return to drug dealing. If they do not, but a legitimate offer of help has been made, then they will no longer have any excuse for criminality, and the offender and community narrative that justifies drug dealing will have been undercut.

Kennedy I, *supra*, at 148. Both steps, not arresting those could be arrested and offering help, undercut the view in the community that the police were using drug laws as an excuse to incarcerate young, black men. In sum, Kennedy wanted to reduce the misconceptions, increase the risk of sanction, and help all three groups find common ground. This was the program Chief Fealy and his advisors agreed to try.

The Community Oriented Policing Services (COPS) manual on the use of the High Point strategy describes what happened next:

The police first implemented the strategy in May 2004 against a flagrant drug market in the city's West End neighborhood and subsequently applied the strategy in three additional markets: Daniel Brooks/Washington Drive (April 2005); South side (June 2006); and East Central (August 2007). During the 3-year implementation period, overt drug activity in High Point was almost entirely eliminated. In the original West End neighborhood, violent crime is down 57 percent 5 years later. Citywide, as the four markets were closed, overall violent crime fell 20 percent, driven by the reductions in the drug market areas.

Kennedy & Wong, *supra*, at v. Kennedy pointed out “most important, there has not been a homicide, rape, or gun assault reported in the West End [target area in High Point] since the intervention.” Kennedy I, *supra*, at 159.

The drug markets collapsed almost immediately. Dr. Hipple and Dr. McGarrell summed it up:

According to local residents and the police, the open-air drug market literally disappeared overnight. And, just as interesting, there seemed to have been no displacement effect. That is, [High Point Police Department] closed down the open-air drug markets in the West End [of High Point] without finding evidence of the market reopening elsewhere.

Hipple, *supra*, at 1.

In addition to the drop in violent crime, community conditions improved dramatically. As Kennedy wrote, “The character of the neighborhood changed immediately, with residents going outside again, children playing, people taking care of their properties, and a multitude of other signs of transformation.” Kennedy I, *supra*, at 158. For example, in the past, only very few neighborhood children attended a local church’s vacation bible school. After the strategy was implemented, dozens of children attended. The pastor of the church overheard one boy tell another that is was “okay to walk to church because the neighborhood is alright now.” Hipple, *supra*, at 1.

Relations between the police and the community improved. Specifically, race relations improved. Chief Fealy wrote:

It [the High Point strategy] produces results that are so dramatic it’s almost incredible. It is sustainable. It does not produce community harms that our traditional street-sweeping, unfocused efforts of the past have. The most important benefit of this work by the people of High Point is the reconciliation that emerges from the dialog between the minority community and the police. In a 30-year law enforcement career, I have never seen an effort like this. It’s nothing short of miraculous.

Kennedy & Wong, *supra*, at v–vi.

The impact on race relations in the targeted community was enormous. Kennedy wrote:

[The High Point strategy’s] roots were in the now-familiar “focused deterrence” approach, which addresses particular problems—in this case drug markets—by putting identified offenders on notice that their community wants them to stop, that help is available and that particular criminal actions will bring heightened law enforcement attention. The High Point initiative, however, added the unprecedented—and initially terrifying—element of truth-telling [sic] about racial conflict. The result of these conversations in High Point was twofold: a plan for doing strategic interventions to close drug markets and the beginning of a reconciliation process between law enforcement and the community.

Kennedy II, *supra*, at 12.

Chief Fealey and his group took a gamble on Kennedy and his strategy and the gamble proved successful beyond what they ever expected. Other communities saw the success of High Point and tried the strategy. Providence, Rhode Island; Rockford, Illinois; Raleigh, North Carolina; Nassau County, New York; and Nashville, Tennessee, initiated successful High Point strategies. They experienced similar success. In Rockford, Illinois, the President of the Rockford Neighborhood Association said before the strategy there were no trick or treaters in the neighborhood and 2 years later there were over a 100. Hipple et al., *supra*, at 1. The Deputy Chief in Rockford said, “It’s not about the people you are giving a break,

the story is about improving the quality of life in the community. The goal is returning the neighborhood to the residents so they are not living in a war zone.” *Id.* at 2.

After the success in High Point and the other communities, the Department of Justice picked up the High Point flag. In 2006, the DOJ’s initiative against gun and gang violence, Project Safe Neighborhoods, sponsored a conference on the High Point strategy at the National Advocacy Center (NAC) in Columbia, South Carolina. For the first time, prosecutors and law enforcement, including police chiefs from some of the largest cities in the nation, learned about the High Point strategy. In 2007, the Bureau of Justice Assistance (BJA), with the support of the Project Safe Neighborhoods program in the offices of the Deputy Attorney General and EOUSA, joined with Kennedy and representatives from Michigan State University and American University and others to develop a program to expand the use of the High Point strategy.

Using the label Drug Market Intervention (DMI), BJA, from November 2007 to July 2008, conducted a first round of High Point training at nine sites including Baltimore, Maryland; Chicago, Illinois; Riverdale, Illinois; Dallas, Texas; Durham, North Carolina; Indianapolis, Indiana; Milwaukee, Wisconsin; New Haven, Connecticut; and Ocala, Florida. Based on the success of that round, BJA expanded the strategy even further and starting in July of 2008 conducted a second round in Atlanta, Georgia; Fitchburg, Massachusetts; Memphis, Tennessee; Mesa, Arizona; Middletown, Ohio; Peoria, Illinois; Providence, Rhode Island; Seattle, Washington, and another round in Ocala, Florida. BJA used a training team composed of representatives from BJA, American University, The Institute for Law and Justice, John Jay College of Criminal Justice, and Michigan State University School of Criminal Justice. *Id.* Those programs are under way now.

The days when no one would listen to Kennedy and his novel strategy are over. The results spoke loud enough that now everyone in the criminal justice world is listening. But the strategy is not foolproof. There have been some failures and setbacks. As AUSA Rob Lang warned, Kennedy designed a recipe for success and not everyone wants to follow the recipe. In their article reviewing the strategy, Hipple and McGarrell broke that recipe down into nine steps and discussed various issues often encountered in each step. BJA then picked up the nine step approach and incorporated it into its DMI training. The following is an overview of the strategy and those steps.

## **B. How High Point works**

BJA provides a succinct explanation of the High Point strategy (which it calls DMI) on its Web site:

DMI is a strategic problem-solving initiative aimed at permanently closing down open-air drug markets. The strategy targets individual drug markets using focused deterrence with transformational elements. The most violent offenders are targeted and prosecuted as examples. The strategy then targets low-level offenders and stages an intervention with families and community leaders. Law enforcement mobilizes community residents, leaders, and family members of low-level drug dealers to voice their intolerance for this criminal behavior and to create opportunity and support for the offenders. Offenders are given the option to straighten up or face lengthy prison sentences and are provided assistance in locating employment, housing, transportation, health care, and access to other social services.

BUREAU OF JUSTICE ASSISTANCE, DEPARTMENT OF JUSTICE, DRUG MARKET INTERVENTION PROGRAM, <http://www.ojp.usdoj.gov/BJA/topics/DMII.pdf>.

In their review of the strategy, Hipple and McGarrell point out:

the DMI is not primarily focused on changing individuals. Rather . . . it is about changing the neighborhood. . . . DMI is not focused on individual therapy and it does not involve coddling offenders. Indeed, the most serious dealers, particularly those with a history of violent crime, are likely to face long prison sentences. Mid- and lower-level dealers, however, are offered a second chance as their criminal charges are used as leverage to close the [drug] market and, hopefully, influence their behavior.

. . . .

The model is built on the “pulling levers” concept of directly communicating a deterrence message to the small group of offenders driving the problem . . . . The DMI maximizes the power of the deterrence message by actually building undercover cases against the target population and using the aggressive prosecution of violent offenders as examples to increase the credibility of threat of prosecution.

Hipple et al., *supra*, at 3–4.

### **III. High Point step by step**

#### **A. The planning phase: forming the team**

The formation of the team is the critical part of planning phase. It is essential that the right players are invited to participate on the team. The following is a list of who should be on the team:

- Police/Sheriff’s Department
- Both federal and state prosecutor’s offices
- Influential community members
- Social service providers
- City management
- Faith leaders
- Probation and parole officers
- Outreach workers
- Re-entry services
- Research Partners

The representative from each organization needs to be a decision maker or someone who has direct access to the decision maker in that organization. This is important not only so they can commit the resources of their organization to the strategy but also so the strategy has legitimacy in the eyes of the other members of the organizations and the team member can build support for the strategy within their own organization.

Research partners are very important members of the team. Without their work, several pieces of the process are extremely difficult to accomplish. Local colleges or universities can often provide research partners.

## **B. Step One: Targeting the drug market through crime mapping**

The first step is targeting the drug market. In order to develop an informed strategy, crime mapping is essential. Using calls for service; UCR Part I crimes; crimes involving drugs, weapons, sex and prostitution; and field contacts made by the narcotics unit, law enforcement identifies the high crime concentration areas. From those concentration areas, the High Point team chooses a target area to implement the strategy.

Crime mapping is important not only to ensure the correct area is targeted but also to forestall any claims that the target area was picked for discriminatory reasons. Also, after a few successful implementations of the strategy, several neighborhoods in the community will call for implementation in their area. Crime mapping provides a bias-free way to explain to community members, community leaders, and the media why certain target areas were chosen.

The selected targeted area needs to be small. Choosing too large a target area will dissipate the impact of the strategy and destroy its effectiveness. The strategy is designed to be implemented one neighborhood at a time. Once drug dealing and violence are reduced in one target area, the team can select another area. Choosing too large of an area to begin with seriously harms the impact of the strategy and its chances for success.

It is also important to consider the capacity of the community in the targeted area. Community involvement is essential. Choosing an initial target area with little or no possibility of community support is a recipe for failure. As the Police Commander in Providence, Rhode Island, said, “the community needs to ‘have your back’ for the first time one of these guys given a break commits a violent crime.” Hipple et al., *supra*, at 10.

## **C. Step Two: Conducting the survey**

Step Two is to find out about the drug dealers in the target area, including who they are and where they live. Officers are often surprised when this step is completed to find that there are not hundreds, or even several dozen drug dealers in a target area. In most cases, there are only a very small number, usually less than ten to a few dozen, who are heavily involved in the drug trade. *Id.* at 11. Kennedy states: “[w]hen Winston-Salem went through this process in its Cleveland Avenue neighborhood, in a public-housing project that had been an open market going back to the first heroin epidemic, they too thought they were essentially drowning in drug dealers. Careful police work identified thirty-one.” Kennedy I, *supra*, at 153. Winston-Salem's Chief of Police explained that “[t]here were a lot of people hanging around and a lot of users and just people in the mix, but not many actual dealers.” *Id.*

## **D. Step Three: Identifying the drug dealers in step two**

The next step is to learn as much as possible about the dealers identified in Step Two. The team convenes vice and narcotics officers and street level officers who work in the target area. A research team also examines and organizes information from police contacts, police reports, and intelligence reports and adds it to the input of the street officers. The information is reviewed dealer by dealer. Often the researcher provides valuable link analysis during this step. This produces a preliminary list of possible dealers.

## **E. Step Four: Undercover operations**

The fourth step feels very much like traditional law enforcement. Law enforcement directs undercover officers to go to the area and make buys from everyone active in the market. Using standard police techniques such as undercover buys, tape recording, photographs, and buy surveillance, law enforcement builds rock solid cases against everyone on the list. In practice, some will be on the incident review list and some will not; some on the list will have aged out, left the area or the business, or gotten locked up; some active dealers will turn out to be new to the area or have been missed by previous investigations.

## **F. Step Five: Prosecuting and banking cases**

The next step is to refine the list of drug dealers in the target area. With respect to each drug dealer it must be determined whether the dealer is a street-level dealer or a mid-level dealer, does the dealer have a history of violence, does the dealer have any pending charges, and is the dealer still active in the target area.

The next segment of this step is one of the most controversial parts of the strategy. The federal and state prosecutors and law enforcement members of the team convene and go through the list of drug dealers in the targeted area. They separate the dealers into two categories: those that should be prosecuted and those that should be given the option of changing their lives.

Those that have prior convictions for violent crimes or gun offenses or are known to be dangerous are placed on the prosecution list. The other dealers have their cases banked and prepared up to the point where the actual warrant is signed. They are the ones who will later receive a second chance as part of the High Point strategy. When some in law enforcement hear about the second category they accuse the team of “hugging a thug.” Nothing could be farther from the truth. As Kennedy points out:

banking cases . . . meant the dealers knew to a certainty *ahead of time* that they faced whatever inconvenience, expense, and formal penalties their arrest would precipitate. . . . They were on the street but *not* free to continue dealing, unless they wanted to risk the very high chance of activating the case. . . .

Banking the cases also greatly changed the underlying moral calculus; it was a graphic and concrete way to show the community, dealers, and their families that the views they had of law enforcement as conspiring to harm the community and control young black men is wrong.

*Id.* at 154 (emphasis in original).

## **G. Step Six: Engaging the community**

After the undercover operation is complete, the next step is to obtain community buy-in. The entire team carries out this step. They engage the community as a whole, the residents, neighborhood leaders, and faith leaders in the target area, as well as business leaders in the area. As Hipple and McGarrel write, “The community will play a very important role in conveying the message that drug dealing will no longer be tolerated in the neighborhood.” Hipple et al., *supra*, at 13. The best method for this step is to hold a series of community meetings in the target area and explain the strategy to everyone. These discussions between the team and especially the law enforcement members of the team and the community are central to the process. Kennedy I, *supra*, at 149. It is during these discussions that the groups’ narratives about the other group are proven inaccurate.

This is often a difficult step for both law enforcement and the community. As Kennedy writes:

Law enforcement needed to understand that its commitment to enforcement, even when it did not solve the problem, did unintended damage to communities and was seen by the community through the lens of a powerful historic and racial narrative that painted contemporary law enforcement as oppressive and often couched drug enforcement as a deliberate means to that end.

*Id.* The strength of the communities' belief came as a shock to many in law enforcement. *Id.*

The community also needs to come to grips with how they are seen by those on the outside. Kennedy writes:

Community members, in turn, needed to understand that their silence about drug and violence issues was read by both outsiders and street offenders as tolerance, support, disinterest, or some combinations thereof, that no community could flourish without setting clear standards about right and wrong, and that neither law enforcement nor anybody else could set and enforce those standards from the outside.

*Id.* at 150.

One common concern is whether the community will participate and buy-in to the strategy. The best method for this step is to start small and build up to wider community engagement. As Hipple and McGarrell write:

finding several local leaders who are willing to get involved seems to be the key. . . . Rather than getting every possible stakeholder together and reaching consensus, the key is to find several “doers “ within the neighborhood who are willing to get involved. From this point, the process of engagement and reconciliation has proven to forge new functional partnerships.

Hipple et al., *supra*, at 14. This process can then be opened up to a more broad local conversation.

Most importantly during these conversations it becomes clear that there is common ground among all of the parties. “That everybody loathed the drug activity and the violence; that everybody wanted pointless heavy enforcement to stop; that everybody wanted dangerous offenders and those who would not listen to be controlled; and that everybody would rather find a way to work together than to continue in angry polarization.” Kennedy I, *supra*, at 150.

Timing is also very important during this step. Shortly prior to the community meetings, the police should conduct the sweep and arrest everyone on the “to be prosecuted “ list. Shortly after the first community meeting, the team should set the date and place for the first call-in. Where the call-in is held is important. It is often held at the police station or a local school or church in the targeted area. It is also important at this step that the team start organizing and coordinating resources and services to offer the dealers who will have their cases banked.

Because the community meetings are public, the media will become involved during this stage. Working with the media and controlling the message are very important. All the team members must be on the same page and convey the same message. As a Deputy Chief from Rockford, Illinois said, “[the strategy] is not about the people you are giving a break. The big story is improving the life of the community.” Hipple et al., *supra*, at 14.

## H. Step Seven: The invitation to the call-in

Next the team prepares for the call-in of the non-prosecute group of dealers. They send a letter to the call-in candidates informing them that the police are aware of their street-level drug dealing and that this behavior has to stop. They invite the offender to the call-in and confirm to him that he will not be arrested at the call-in. They ask the offender to bring someone who is important to him to the meeting. These “influentials” may be a family member, friend, community elder, or spiritual advisor. Often these letters are hand delivered by a small group of team members including a community member, faith leader, and a member of the police department. *Id.* at 16.

Of course the question is how many of the dealers will show up at the call-in. Hipple and McGarrell say “[t]his is the million dollar question. . . . Experience has shown that a very high percentage of invited attendees actually showed up at the call-in.” *Id.* at 16.

## I. Step Eight: The call-in

The call-in is a face-to-face meeting between the offenders, law enforcement, and the community. When the offenders arrive at the call-in, they are greeted with chairs labeled with their names. There are also chairs labeled with the names of the offenders who were arrested in the sweep. Those chairs will remain empty. The chairs of the call-in offenders are not empty. They are full of three-ring binders containing the discovery material on the buys law enforcement made from each offender. The offender and his support person are allowed to review the material to see for themselves that there is a rock-solid case against them. On top of the binder is an unsigned arrest warrant for the offender.

Next the offenders and their support person hear two messages. The first message is from law enforcement. The message is simple: drug dealing and violence will no longer be tolerated in the target area. Each offender is placed on official notice that law enforcement has a solid prosecutable case against them and that any further evidence of drug dealing will lead to the immediate activation of the banked case.

The next message is from the members of the community. They convey the message that the community finds the offender’s behavior unacceptable and it will no longer be tolerated. They offer help in the form of community resources to those offenders who are willing to swear off their life of crime—no drug dealing, no violence, no future crimes. The community offers drug/alcohol treatment, job training, educational opportunities, help with family issues, transportation, and in some cases mentoring. If the offenders agree to take the offer, they sign up for the services.

It is very helpful if funding is available to employ a resource coordinator to ensure the services promised are available and offered. It is possible to borrow another social organization’s resource coordinator to serve in this role if funding for a new position is not available. Some sites have jobs ready for the call-ins. Most do not. Instead, they offer job training or other preparation for getting a job.

One of the most important elements here is to deliver what is promised. As Hipple and McGarrell point out:

Credibility is critical. The DMI will fail if what is promised to the candidates is not delivered. This goes for both services and arrest if rules are not followed. The community is demanding these individuals stop dealing drugs in their neighborhood in return for services if they so desire. While all may not take advantage of the offered services, it is critical that those requests that are made are filled. Also, if candidates choose not to stop dealing, it is crucial that the police and prosecutor make good on their promises of arrest and prosecution.

*Id.* at 18.

There is no doubt that call-ins are some of the most dramatic moments in the process. In his New Yorker article, John Seabrook wrote, “Call-ins are intensely dramatic events, like modern-day morality plays. At the one I attended, there was a palpable, almost evangelical desire to make the experience transformative for the gangbangers.” Seabrook, *supra*, at 37.

### **J. Step Nine: post call-in enforcement**

In this step, the police and the community watch for any signs of continued street-level drug dealing in the target area. The police continue to attempt to make drug buys in the area. They continue to send in confidential informants to confirmed drug locations. They also encourage residents to call the police and give calls from the residents high priority. Reports of drug dealing are immediately investigated, and if necessary, additional narcotics officers are assigned to the target area. If a call-in offender is caught committing a crime, the offender is arrested immediately and given special treatment by the prosecutor’s office.

### **K. Step Ten: follow up**

The last step is aggressive follow up with the call-in offenders who signed the agreement. The team or the team’s resource coordinator ensures that the offenders are receiving the support they were promised. The community is encouraged to keep in touch with the offenders through phone calls and visits. Law enforcement continues to engage the community by attending meetings in the targeted area. The crime data is continually monitored by the research partners to make sure crime is staying down in the area.

Experience has shown that AUSA Lang’s admonition concerning following the recipe is well-taken. Some variations are possible and even necessary. The strategy must fit the community but the basic steps must be followed. The strategy works as it is designed.

## **IV. The future of High Point**

Where does the High Point strategy go from here? Seabrook writes, “The next step for Kennedy and his colleagues is to expand these regional successes into what [Kennedy] calls a ‘national standard of practice.’” *Id.* at 40. Kennedy, who is now the director of the Center for Crime Prevention and Control at John Jay College in New York, is working with Jeremy Travis, the president of John Jay, to create and launch the National Network for Safe Communities, to develop a national standard, and to spread and support the use of the strategy. As Travis told John Seabrook, “[t]he last ten years have served as a proof of concept. In the next ten, we need to build a network that can institutionalize and sustain these practices around the country.” *Id.* John Jay’s National Network held its first national conference in December of 2009 in New York. Over 300 participants from 75 cities, 22 states, and 6 nations attended.

Several other programs modeled on Kennedy’s work have proven equally successful. The State of North Carolina has adopted the High Point model as one of its primary anti-violent crime programs. In 2009, with the assistance of the University of North Carolina, Greensboro, a series of North Carolina Safe Communities sites across the state were launched. In Hawaii, a state court judge is using the strategy to significantly reduce the number of parole violations. Jeffrey Rosen, *Prisoners of Parole*, N.Y. TIMES, Jan. 10, 2010, at MM36. In Chicago, Kennedy’s work has inspired Tracey Meares, a Yale law professor working with U.S. Attorney, Patrick Fitzgerald, to design “one of the most powerful recent models for national parole reform.” *Id.* As Rosen writes, these are examples of a:

new approach to keeping people out of prison that is being championed by some of the most innovative scholars studying deterrence today. At its core, the approach focuses on establishing the legitimacy of the criminal-justice system in the eyes of those who have run afoul of it or are likely to. Promising less crime and less punishment, this approach includes elements that should appeal to liberals (it doesn't rely on draconian prison sentences) and to conservatives (it stresses individual choice and moral accountability). But at a time when the size of the U.S. prison population is increasingly seen as unsustainable for both budgetary and moral reasons . . . the fact that this approach works seems to work may be its biggest draw.

*Id.*

Kennedy is also exploring using variations of the High Point model against other forms of violent crime. One chapter in his book, *Deterrence and Crime Prevention: Reconsidering the Prospect of Sanction*, is devoted to a discussion of using the model against domestic violence. He is also interested in the use of the model against terrorist violence. Marc Sageman, a terrorism expert who wrote the 2008 book, *Leaderless Jihad*, told Seabrook, "There is quite a lot of evidence in the terrorism literature that this type of gang-intervention program can work, if you apply it to terrorists in the early stages of the radicalization process. Then it could very well work—because there is nothing deterministic about becoming a terrorist." Seabrook, *supra*, at 40.

In sum, David Kennedy and his once novel strategy have traveled a long way from the days when he could not get his foot in the door to sell his ideas. Today, Kennedy is especially excited about expanding his strategy to address domestic violence. As with the drug-market strategy, he has tried for years to obtain an audience, but neither police departments nor domestic violence advocates have been interested. They tell Kennedy they do not see how a High Point strategy would work against domestic violence. As with the drug-market strategy, Chief Fealy and the High Point team have agreed to be the first to give it a try. This time, however, Fealy and Kennedy are confident it will work. If it does, that movement Kennedy referenced in New York will grow even larger, and we will all be a little safer. What more could one ask from an anti-violence strategy?❖

## ABOUT THE AUTHOR

❑ **Tate Chambers** joined the United States Attorney's Office in the Central District of Illinois in 1984. He served there in several capacities including Peoria Branch Chief, Appellate Chief, OCDETF Lead Task Force Attorney, Project Safe Neighborhoods (PSN) Coordinator, and Anti-Gang Coordinator. In 2007, he began a detail in the Executive Office for United States Attorneys (EOUSA) in Washington, DC, as PSN National Coordinator. He served in that capacity for 2 years and in November of 2009 began a detail on EOUSA's Evaluation and Review Staff (EARS) as Legal Program Manager.✉

# *Street Smarts: Saving One Life at a Time*

*Richard W. Rose*  
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In 2005, as part of the Department of Justice's Anti-Gang Initiative, the District of Rhode Island created an urban middle and high school outreach program called *Street Smarts*. Since 2006, the program has been presented to over 20,000 middle and high school students as well as church groups, community organizations, juvenile correctional facilities, medical doctors, school nurses, medical students, and numerous business groups. The Eastern District of Louisiana has also adopted *Street Smarts* as part of its post-Katrina efforts in New Orleans. The program has alternatively been described as insightful, humorous, blunt, and even overdue.

The presentation, which lasts roughly an hour and a half, is presented by me in my capacity as the District's anti-gang prosecutor using an interactive PowerPoint. It combines a history of street gangs; real-life gang, gun, and drug prosecutions; and tough federal sentences, and then debunks myths about gang life by contrasting the negatives with positive stories about young local community role models. In the end, the presentation leaves the audience with a stark contrast and choice: end up on the Roll Call or as a role model.

The Roll Call is the opening salvo in *Street Smarts*. Against the backdrop of a Wynton Marsalis dirge, the name and age of every young person (under 30) murdered in the district's capital city since 1994 scrolls across the screen. The youngest is 12 years old. Four were associated with the same high school in 2005. There are two police officers on the list. Frequently, teachers and students share poignant reminders of the losses when asked whether they recognize any names: from a teacher, "several former students"; from a mayor and former juvenile prosecutor, "now I know what happened to many of the young people I prosecuted"; and from students, "my father," "my brother," "my cousin," "my friend."

Melodramatic? Perhaps not. As I write this, a 16-year-old boy has died from gun shot wounds he suffered when he and his brother were at a birthday party a few days ago. (A juvenile has been arrested for his murder.) A 22-year-old man was killed a few hours after the 16-year-old succumbed to his wounds. Two weeks ago, I spoke at the 16-year-old's high school. I wonder if he was there. I wonder, too, about the 13-year-old boy who was shot in the stomach on a recent Sunday morning just 3 days after I spoke at his middle school. I thought I had been rough on the students that day. Maybe not rough enough. Urban violence across the country is at an epidemic level and the Department can bring more to the problem than our significant enforcement powers.

After the Roll Call, *Street Smarts* emphasizes that the fratricide extends across the country. It is not just in the district of Rhode Island. For instance, more than 500 Chicago public school students were shot in the last 2 years. Editorial, *508 Chicago Kids Shot in Just 16 Months*, CHI. SUN-TIMES, Mar. 9, 2009, at 22. Seven teenagers were shot at a bus stop in Detroit this past summer. There were over 5,000 dead in the top 11 American metropolitan areas ranked by number of homicides in 2008: Los Angeles (878); New York City (855); Philadelphia (530); Chicago (517); Houston (447); to name a few. See CRIMINAL JUSTICE INFO. SERVS. DIV., FED. BUREAU OF INVESTIGATION, CRIME IN THE UNITED STATES BY METROPOLITAN STATISTICAL AREA, 2008 (2009), available at <http://www.fbi.gov/ucr/cius2008/>

data/table\_06.html. These figures total more than all of the American soldiers killed during the entirety of the war in Iraq. See DEPARTMENT OF DEFENSE, CASUALTY STATUS (2010), <http://www.defense.gov/news/casualty.pdf>. Among African-American males, 1,142 juveniles between the ages of 14 and 17 committed murder in 2007. Erik Eckholm, *Murders by Black Teenagers Rise, Bucking a Trend*, N.Y. TIMES, Dec. 29, 2008, at A12.

The tone thus set, we talk about the reasons for the violence and for joining gangs. The students can often identify the obvious reasons: lack of parental control, too many matriarchal households, the need to feel loved, a search for respect, too few male role models at home or in the community, family legacies, drug feuds and competition, lack of education, and a lack of jobs.

What follows in the presentation is a frank discussion that attempts to debunk gang myths. The presentation discusses the difficult issue of the lack of a positive social structure in many of their lives. Students are asked rhetorically to raise their hands if they have a father, brother, or uncle who has been to jail. They are also asked if they have one of those relations who has graduated from college. It is a lack of male leadership that heavily contributes to the gang and gun activity in the district. Understanding the direness of the situation and making purposeful choices to avoid a similar fate is emphasized and, most importantly, no excuses are accepted.

The presentation also includes an in-depth discussion about local gangs, known as Blood sets, Crip sets, M.O.P., C-Block, Laos Pride, 18th Street, MS-13, Latin Kings, East Side, Chad, Lockwood, and Clownies. The students reluctantly admit they know more gang names than state capitals. A wall of gang graffiti is shown to the students. A student boldly and confidently interprets the graffiti: "Young Bloods calling out some Krabz (Crip) and the 'CK' stands for Crip Killa, the C is crossed out. . . ." The same student who interprets the gang graffiti is offered \$5 for each correct answer to one of four questions, which begin with, "Who is the Governor of Rhode Island?" and end with "What does fratricide mean?" The confidence and bravado disappears. I have only given away \$20 once. We talk about the importance of street smarts as well as book smarts and I remind them that the single largest shared characteristic of American prisoners is a lack of education.

I use two popular phenomena to stress my point. I use the music of Jay-Z and the still raging fashion faux pas—the "sag." Music is an important part of the presentation. I play mostly hip-hop, some of it positive, some of it illustrative of urban life, and some of it garbage. I try to highlight the hypocrisy of some of the lyrics or the self-destructive, fatalistic nature of the message. Music is important to young people and dominates their culture. I try to stress that it is entertainment. For example, I argue that you do not watch a Superman movie and think you can fly, and music does not make you a gangster. It does not make you tougher, nor does it make you wiser.

The story of Shawn Carter, who performs rap music under the name Jay-Z, illustrates the point to the participants. Jay-Z has an estimated net worth of \$300 million. He is a national spokesman for many products and is a part owner of the New Jersey Nets NBA franchise. He is also a confessed former crack dealer. If that were it, I could hold up this former Brooklyn housing project resident turned business mogul as a role model worthy of emulation. However, this list of accomplishments only tells part of the story. His music, their music, tells another.

Lyrics from popular rap songs, the music of choice for many gang members and the participants in *Street Smarts*, illustrate the thug mentality that glorifies drug use, violence, and a blatant disregard for authority. Excerpts from two popular Jay-Z songs represent the message of rebellion and violence being sent to these young people. The song "30 Something," from the CD *Kingdom Come*, includes the line: "Ya'll respect the one who got shot, I respect the shooter." "Roc Boys", from the CD *American Gangster*, includes the lines: "Thanks for the duffle bag, the brown paper bag, the Nike shoe box for holding all this cash. Boys in blue who put greed before the badge, the first pusher whoever made the stash." The song

lyrics later state “Bullet wounds will stop your bafoonery, Thanks to the Pastor rapping at your eulogy.” The underlying message of songs like these encourages listeners to respect those who commit violent and illegal acts and lends itself to encouraging participation in such acts.

The students and I discuss these lyrics. I tell them they have to separate theory from reality just as they do after watching Superman fly. We talk about why a person who publishes such garbage ends up in Oprah’s October 2009 magazine, *O*, representing corporate America and performing on national television before the opening of the first game of the World Series. In an age when an imprudent comment on race can end a career, what does it say to our young people when Jay-Z is celebrated? (I point out that the person who sang “God Bless America” at Yankees games was fired for making a crude comment about renting an apartment to a Jewish woman just a few days before the World Series.) It is difficult not to concede that no one cares if Jay-Z celebrates premature death, murder, and drug dealing in the minority community with impunity. I beg the students in vernacular, “Do not believe the hype.”

In the same way, we discuss the fashion statement, the sag (wearing pants below the waist line with exposed underwear). Many young people correctly believe that the style originated in prison. However, they incorrectly think it denotes sexual availability. I explain how it derives from a lack of belt (taken away in prisons to prevent suicide), drooping pants, handcuffed wrists, and exposed white prison boxer underwear. Either way, why would they want to imitate prison culture as a personal statement? I tell them that if they thought about it for a minute, they might not even do it.

It all comes back to choices and consequences. Positive choices versus bad choices. We talk about the importance of education. If they obtain an education, they may make it out of their circumstances. Gang life is guaranteed to lead to jail and/or death. I suggest they do not let negative outside influences control their lives. If you do, I tell them, it becomes a self-fulfilling prophecy.

Finally, the program closes with local peer success stories. The African-American high school student with a child in the high school day care: both of her parents were in jail; the young lady is now a second-year law student. The Asian immigrant who was so poor that she had to sleep in a car with her father when they came to Rhode Island: she is now on a full scholarship at a local college. The high school football hero who never met his father and whose mother died when he was 14, profiled on the screen with a replay of a local news story: He says, “Young people want to have fun doing the bad stuff, drugs, and guns. My mother told me to define myself instead of letting the streets define me.” Choose for yourself, Roll Call or role model.

Initiating a *Street Smarts* program takes several steps. The first and obvious step is U.S. Attorney buy in. Once you have that, it is a time-consuming initiative. You have to create a local program. A CD entitled “Street Smarts National Protocol” is available to help you get started. You also have to market the program to community leaders and school administrators and then schedule individual school presentations when the program is accepted.

The message is universal but the messenger is important as well. *Street Smarts* is not career day. It requires an AUSA who is willing to make an emotional commitment to the program. He or she should have deep community roots. I often share stories about the GED (General Equivalency Diploma) that I have that is in the wrong name (Rose Richards), or how I met my father when I was 7 years old and then did not see him again for another 7 years. Ethnic and cultural ties to the community are also important. It is vital that the young people be able to relate to the presenter so that their own circumstances appear less desperate and overcoming them appears more achievable. The presenter should expect to defend the Department’s aggressive law enforcement strategy. Stand your ground. You may be challenged as a “tool” or a “sellout.” Again, it is not career day.

A successful program, however, brings great rewards. The U.S. Attorney's Office in Rhode Island is genuinely acknowledged as having a sincere and effective community outreach program which encourages young people where they live. A U.S. District Judge who has attended the presentation recently made participation in *Street Smarts* part of a former gang member's supervised release. The gang member will visit schools and discuss the negative realities of gang life with young people. School officials appreciate the candor and the ability to address issues in their schools that they may be reluctant to raise on their own. A big benefit is that community groups feel empowered by the presentation and less suspicious of prosecutorial motives. Our office has marched hand in hand with social advocacy groups (Men Against Murder) in an effort to bring the *Street Smarts* message to the community.

The message is stark. Urban America is committing fratricide. We can do something about it, but it must start with the community accepting personal as well as corporate responsibility. This has not always been a well-received message.

Finally, and most importantly, your office and the prosecutor assigned to the project will receive anecdotal feedback from students and teachers alike who say that there are young people who have heard the message; for some of them, *Street Smarts* has begun to change their life. ❖

#### **ABOUT THE AUTHOR**

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# Project Safe Neighborhoods and Domestic Violence: Safe Streets Can Create Safe Homes

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## **I. The Violence Against Women Act**

Since the passage of the Violence Against Women Act (VAWA) in September 1994, the Department of Justice (DOJ) has launched a multifaceted initiative to combat domestic violence. Two principles have guided the DOJ's efforts: promoting the safety of victims and holding perpetrators accountable for their acts of violence. The VAWA and its amendments from 1996, 2000, and 2006 not only created federal criminal laws specifically targeting domestic violence but also recognized that a successful criminal justice response to violence against women requires collaboration among state, local and tribal police, prosecutors, and victim service providers. The five criminal statutes specifically targeting domestic violence under both VAWA and the Gun Control Act are: interstate domestic violence, 18 U.S.C. § 2261 (2009); interstate stalking, 18 U.S.C. § 2261A (2009); interstate violation of a protection order, 18 U.S.C. § 2262 (2009); possession of a firearm while subject to a qualifying protection order, 18 U.S.C. § 922(g)(8) (2009); and possession of a firearm by a person convicted of a misdemeanor crime of domestic violence, 18 U.S.C. § 922(g)(9) (2009).

DOJ's efforts to date have focused on making violence against women issues central to its work. Each United States Attorney's office (USAO) has a designated VAWA point of contact and training occurs periodically at the National Advocacy Center (NAC) to keep AUSAs and victim witness coordinators current on the latest legal developments and best practices involving domestic violence issues. The next training at the NAC for VAWA Points of Contact is scheduled to be broadcast through the Justice Television Network during the winter of 2010. In addition, EOUSA's Office of Legal Programs and Policy has designated a Violence Against Women Act specialist who is directly responsible for providing training, legal updates, and technical assistance to USAOs on the implementation of the federal domestic violence laws. This VAWA specialist also maintains an EOUSA Web site with up-to-date law, training materials, indictments, and other relevant materials to assist in DOJ's implementation efforts.

DOJ's domestic violence effort dovetails with the Project Safe Neighborhoods (PSN) initiative. Almost 50 percent of the USAOs have listed domestic violence as a key component of their PSN initiative. The intersection is clear: safe neighborhoods depend on safe homes. Many USAOs hold PSN or Law Enforcement Coordinating Committee (LECC) trainings that incorporate domestic violence issues for their state, local, and tribal partners. This is especially true in smaller rural districts or districts that include rural areas where domestic violence remains a critical law enforcement problem. A successful domestic violence initiative depends in large part on collaboration with state, local, and tribal counterparts. DOJ emphasizes outreach to community partners to ensure not only that all are aware of the federal domestic violence criminal alternatives but also that state protection orders and misdemeanor

convictions can qualify for the federal firearms ban. In this effort, USAOs have also created media campaigns that address domestic violence. The media campaigns developed by the USAOs in the Eastern District of Kentucky, West Virginia, Maine, and South Dakota are particularly effective.

To track efforts, EOUSA's data analysis unit maintains a separate data bank for cases brought under the federal domestic violence statutes. Through fiscal year 2009, over 2500 cases have been prosecuted. USAOs still fight numerous legal challenges to these statutes and, in particular, to the gun offenses. These challenges focus primarily on the qualification of the misdemeanor crimes of domestic violence used as predicates for § 922(g)(9) prosecutions. In one challenge, brought in *United States v. Hagen*, a case initiated in the Southern District of Texas, the defendant challenged the government's reliance upon a conviction under the Texas assault statute in its prosecution under § 922(g)(9). *United States v. Hagen*, No. 07-20798, 2009 WL 3294785 (5th Cir. Oct. 14, 2009). The challenge to this assault statute, which is similar to many other assault statutes nationwide, was successful in the Fifth Circuit. The Government is seeking rehearing en banc. Another related challenge, *United States v. Johnson*, was argued before the Supreme Court on October 6, 2009. This decision is expected to impact the ability of USAOs to prosecute § 922(g)(9) cases using a battery statute as a predicate. *United States v. Johnson*, No. 08-6925 (S. Ct. Oct. 6, 2009). Because § 922(g)(9) is the cornerstone of the federal initiative, the USAOs continue to defend aggressively these statutes against legal challenges.

## **II. Prevention/Outreach**

### **A. Eastern District of Kentucky**

*Through a combination of outreach, training, and aggressive prosecution, the USAO for the Eastern District of Kentucky has been successful in prosecuting domestic violence and firearms offenses. The office incorporates its domestic violence program into the overall PSN program. Firearms offenses, including domestic violence offenses involving firearms, are aggressively prosecuted by the office. For example, in 2008, 158 firearms cases were opened district-wide, totaling 238 defendants. As of December 31, 2008, 104 cases of the 158 were indicted. The most common charges were: felon in possession of a firearm (84); possession of firearms in furtherance of violent crime or drug crime (33); possession of firearm by illegal alien (39); and domestic violence-related firearms charges, such as a violation of §§ 922(g)(8) or (9), (16). Currently, and throughout the recent past, the local ATF field offices have made these cases a priority and have recognized that those individuals with domestic violence convictions on their records and who possess firearms are some of the more dangerous individuals that law enforcement encounter.*

Along with ATF, the office routinely conducts training on firearms-related offenses for state and local law enforcement agencies. These trainings include educating the local officers about §§ 922(g)(8) and (g)(9) prosecutions. They also discuss what constitutes a qualifying domestic relationship, what constitutes a qualifying domestic violence order, and what factors must be in place before a potential case can be adopted for prosecution. Further, the office partners with local prosecutor counterparts in reviewing firearms and domestic violence cases for potential federal prosecution.

Additionally, the office educates the community about the consequences of domestic violence through frequent community outreach events. In connection with the community outreach, the office, along with its media partner, Asbury College, created a dynamic video highlighting the punishments for those offenders who possess firearms after having been convicted of domestic violence crimes. The office has distributed the video to many of the local jails and state and federal prisons in the district, and it is used in inmate prerelease programs.

## B. District of Maine

The media campaign provided by the Department does not address domestic violence. Because domestic violence is Maine's number one crime problem, *PSN Maine* addressed this gap. Over half of the homicides committed in Maine each year involve domestic violence. In 2000, every homicide committed with a firearm in Maine was a domestic-related conflict. Annually, approximately 50 percent of homicides committed with a firearm each year involve some type of domestic conflict.

To combat this particular crime problem, *PSN Maine* and its media partner developed a comprehensive media campaign using print advertising, posters, direct mail, and other innovative media designed to deter domestic violence and violent crimes committed with a firearm. The ad campaign put domestic abusers on notice that if they are convicted of beating their wives, girlfriends, or partners they will lose their rights to possess guns for life and/or face federal prison. In addition, the campaign addressed individuals that commit violent crimes with firearms with a strong message: "Do the Crime, Do the Time." Maine published the ads in a variety of newspapers and other publications throughout the state and distributed the ads to Federal Firearms Licensees, state court houses, probation offices, batterers' groups, jails, prisons, and law enforcement agencies.

As part of this unique outreach effort, *PSN Maine* sought and received participation and endorsement from the NRA and the Sportsman's Alliance of Maine. Their logos appear on most of the ads along with the PSN logo. Considering Maine's size, rural character, and large hunting community, this endorsement is critical.

Through a continued relationship with its media partner, *PSN Maine* also developed a domestic violence bystanders television PSN campaign to encourage bystanders to intervene to save domestic violence victims from harm. During Domestic Violence Awareness Week in late October 2007, this powerful series of ads began to run on television stations across Maine. This unprecedented series of award-winning public service announcements was so well-received that they continue to run even after *PSN Maine's* contracts with the television stations expired. These powerful announcements are a call to action for Maine citizens to help put a stop to gun violence in their communities and homes.

All of these coordinated efforts support a strong PSN initiative that is highlighted by the USAO's aggressive approach to prosecution of domestic violence abusers. In particular, the prosecutions focus on disarming domestic abusers using §§ 922 (g)(8) and (g)(9). Case referrals result from strong community partnerships and from training efforts to familiarize the relevant members of the community with the federal domestic violence laws. These community members include local prosecutors, law enforcement, organizations, and people involved in domestic violence, state and federal probation officers, and state bar association members.

## C. District of Utah

*Utah PSN* uses a multifaceted and innovative approach that has resulted in one of the leading USAO PSN/domestic violence programs in the country. This approach combines task force referrals, local law enforcement in-house trainings, annual statewide trainings, training at victim conferences, and a federal presence at the Salt Lake County offender meetings in its successful PSN program.

- 1. Task force officer referrals:** PSN task force officers refer many of the domestic violence gun cases that are federally prosecuted in Utah. *Utah PSN* is a state-wide initiative that includes nearly a dozen task force officers employed by local law enforcement agencies throughout the state. These task force officers work closely with ATF, are familiar with the federal system, and have direct access to PSN prosecutors. These task force officers

regularly uncover possible §§ 922(g)(8) and (9) cases in their local agencies, conduct followup investigations, and forward the cases on to the USAO for screening by a PSN prosecutor.

2. **Local police department training:** *Utah PSN* conducts trainings at local police departments throughout the state. Utah's PSN Task Force Commander schedules these in-house trainings using his contacts with local police departments. Generally, a PSN prosecutor and PSN task force officer provide an hour-long presentation to police officers. Ten to fifteen minutes of the presentation is devoted to describing federal domestic violence gun laws, best investigation practices in gun cases, and how to refer a case for federal prosecution.
3. **Annual statewide PSN training:** Each fall *Utah PSN* provides a full-day training course for local police officers. In any given year, 45 minutes to an hour is dedicated to training police officers about domestic violence gun cases and teaching local police how to present PSN cases for federal prosecution. Local police are taught to: a) contact a PSN task force officer, b) contact an ATF special agent, or c) contact a PSN prosecutor at the USAO.
4. **Victim conference:** *Utah PSN* has been invited on a number of occasions to present at the Annual Domestic Violence Victims' Conference. At each opportunity, PSN representatives instruct the victim advocates and police officers in attendance on federal domestic violence gun laws and how to refer a case for federal prosecution.
5. **Offender notification:** Twice each month, a PSN prosecutor and a PSN task force officer speak to recent offenders in Salt Lake County. The meetings are held at Utah Adult Probation and Parole (AP&P). All new offenders living in Salt Lake County who have been put "on paper" are required by AP&P to attend. The offenders include both parolees and probationers. As part of a 30-minute presentation, offenders are advised of the various federal gun laws, including laws prohibiting domestic violence misdemeanants and persons subject to domestic violence protective orders from owning or possessing firearms.

### III. Relevant statutes

#### A. Violence Against Women Act Offenses

- Interstate travel to commit domestic violence: 18 U.S.C. § 2261 (2009)
- Interstate stalking: 18 U.S.C. § 2261A (2009)
- Interstate travel to violate a Protection Order: 18 U.S.C. § 2262 (2009)

#### B. Firearms Offenses

- Possession of a firearm while subject to a Protection Order: 18 U.S.C. § 922(g)(8) (2009)
- Transfer of a firearm to a person subject to a Protection Order: 18 U.S.C. § 922(d)(8) (2009)
- Possession of a firearm after conviction of a misdemeanor crime of domestic violence: 18 U.S.C. § 922(g)(9) (2009)

- Transfer of a firearm to a person convicted of a misdemeanor crime of domestic violence: 18 U.S.C. § 922(d)(9) (2009)
- Official use exemption from firearms offenses (except §§ 922(d)(9) and 922(g)(9)): 18 U.S.C. § 925(a)(1) (2009)

### **C. Other Relevant Statutes**

- Full Faith and Credit: 18 U.S.C. § 2265 (2009)
- Brady statement: 18 U.S.C. § 922(s) (2009)
- Right of victim to be heard at bail hearing: 18 U.S.C. § 2263 (2009)
- Crime Victims' Rights Act: 18 U.S.C. § 3771 (2009)
- Restitution: 18 U.S.C. § 2264 (2009)
- Self-petitioning for battered immigrant women and children: 8 U.S.C. § 1154 (2009)❖

### **ABOUT THE AUTHOR**

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# Reentry Programs Implemented by United States Attorneys' Offices: A Sampling of Successful Programs

*Edited by Tate Chambers  
Legal Program Manager  
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## I. Introduction

Every year approximately 50,000 offenders are released from federal prison back into communities across the United States. WILLIAM SABOL & HEATHER COUTURE, PRISON INMATES AT MIDYEAR 2007, 18 (2008), <http://bjs.ojp.usdoj.gov/content/pub/pdf/pim07.pdf>. Of those 50,000, approximately 40 percent reoffend within 3 years. U. S. GEN. ACCOUNTING OFFICE, PRISONER RELEASES, TRENDS AND INFORMATION ON REINTEGRATION PROGRAMS, 7–8 (2001), <http://www.gao.gov/new.items/d01483.pdf>. Reentry programs can reduce that rate. *Federal Prison Reentry and the Second Chance Act: Hearing Before the Subcomm. on Commerce, Justice, Science, and Related Agencies of the H. Comm. on Appropriations*, 111th Cong. 4 (2009) (statement of Harley G. Lappin, Director, Federal Bureau of Prisons), [http://appropriations.house.gov/Witness\\_testimony/CJS/harley\\_lappin\\_03\\_10\\_09.pdf](http://appropriations.house.gov/Witness_testimony/CJS/harley_lappin_03_10_09.pdf). A large number of reentry services are provided by state and local programs. In many districts, however, the United States Attorney's Office (USAO) has taken the lead in establishing and running reentry programs. Many of these programs are very successful. The discussion below samples some of those successful programs. These examples were provided by the PSN Coordinators in the USAO where the program is being implemented.

## II. Prerelease programs

Reentry starts in prison where the offenders are prepared for release. The most common prerelease programs run by USAOs are the "notice" programs. In these programs, Assistant United States Attorneys and federal agents visit prisons and notify the inmates about the application of federal firearms laws and the prohibition against convicted felons possessing firearms and ammunition.

Some USAOs, however, go much further and provide substantive prerelease counseling. For example, as part of their PSN program, the Central District of California partners with the Los Angeles Police Department (LAPD) to implement a reentry strategy in the City and County of Los Angeles. The program engages in prerelease counseling to structure postrelease plans that will provide comprehensive wraparound services specifically tailored to the needs of selected parolees, in an effort to decrease recidivism and move parolees into full-time employment.

In the Southern District of Florida, the PSN sponsored the Miami-Dade Reentry Task Force (Task Force) conducts "reentry fairs" within the prisons. During the fairs, inmates are given government-issued identification cards on the spot and apply for duplicate Social Security cards. The Task Force also holds "community fairs" for recently released prisoners and uses buses to bring hundreds of work-release prisoners to these fairs.

Some USAOs use very focused prerelease programs, such as the PSN-sponsored program in the Middle District of Alabama, Aid to Inmate Mothers, which provides counseling, support services, and assistance to incarcerated mothers in an effort to assist them in maintaining relationships with their children and preparing them for release.

### **III. Transition programs**

Transition programs or “bridge” programs combine elements of the prerelease and postrelease programs. The USAO in the Western District of Oklahoma used PSN funds to establish a reentry program for serious and violent offenders called “Going Home.” The initial phase of the program occurs up to 6 months prior to release from the correctional institution. In-house case managers solicit participants from the outgoing population who are identified as gang members or as groups who are returning to the district and pose a security threat. These case managers, in partnership with community transition specialists, identify the strengths, weaknesses, issues, and concerns of each participant and develop a transition plan. The transition plan includes plans for reunification with family, housing arrangements, attention to medical needs, identification of skills, training, job placement, counseling, transportation, and opportunities to own and operate their own small business.

### **IV. Team building**

Several districts have initiated reentry team building exercises to bring the reentry stakeholders together. For example, in the Southern District of Florida, the USAO hosted a reentry summit under the auspices of PSN that convened professionals from corrections, parole and probation, law enforcement, prosecutors, substance abuse and mental health agencies, work force development providers, faith and community-based organizations, grassroots efforts, inmates, and ex-offenders. The Southern District of Florida’s reentry strategy was born out of the work of the summit and became a model for jurisdictions across the country. Parts of that strategy include a reentry resource guide, available in web-based and booklet form, reentry fairs, a reentry coordinator, a reentry hotline, transitional living centers, and the development of a reentry task force. The Miami Dade Reentry Task Force now consists of 70 regular members representing social service providers from government and nonprofit agencies, law enforcement agencies, corrections and probation professionals, and ex-offenders. The Task Force meets every month to develop solutions to problems in the areas of environmental affairs and housing, advocacy, referral conditions, and capacity building.

### **V. Postrelease programs**

The most common type of reentry program is the postrelease program. The nature and elements of the postrelease programs in the USAOs vary widely. For example, in the Eastern District of North Carolina, a case manager was hired to establish the reentry program in the community with PSN grant money. The case manager routinely contacts offenders who are awaiting release while they are still in custody to plan for postrelease needs. The manager also assists clients in obtaining employment, GEDs, and drug treatment. The USAO integrated PSN with reentry programs to deliberately overlap and develop peer-to-peer collaboration that led to the development of a series of vigorous programs. These programs include the Durham County Criminal Justice Resource Center and Higher Level Missions. Durham County Criminal Justice Resource Center was formed to reduce crime levels in the community by reducing recidivism through highly structured programs where offenders learn to modify the behavior patterns that lead to criminal activities. Higher Level Missions offers resources and opportunities to

qualified ex-offenders during prerelease, immediate, and postrelease phases. High Level Missions provides a five-phase, innovative, and Christ-centered reentry strategy.

## **VI. High-risk offenders**

Some districts focus on serving high-risk offenders in their reentry programs. In the Southern District of Georgia, the Savannah Impact Program focuses on protecting the public from high-risk offenders (both adult and juvenile) who are on parole or probation, through a collaborative community corrections program with support from state and local agencies. The Savannah program is a highly structured supervision and community-based support program. Using a team concept, supervising officers are paired with Savannah police officers to co-manage the offenders. The officers have lower caseloads that allow for more frequent contacts with the offenders. In addition, officers have incorporated other forms of supervision to include drug screening, home confinement, curfew enforcement, and electronic monitoring. In conjunction with these initiatives, supervising officers are able to coordinate with case managers and counselors as to the type and level of service needed for each offender based on a risk and needs assessment of the individual. The program extends beyond enhanced supervision by providing a significant treatment program, with the majority of support programs being offered and operated at the program's office. These programs include substance abuse counseling, cognitive behavior therapy, electronic monitoring, literacy training, personal finance counseling, driver's training, and job and vocational training.

## **VII. Call-in programs**

The USAO in Maryland joined forces with Maryland Parole/Probation, the Baltimore Police Department, the State Attorneys' Office (SAO), and community leaders to conduct "call-in" meetings for repeat offenders in Baltimore. Maryland Parole/Probation and the Police Department identified felons in hot spot (high violence) areas who are on parole or probation for violent crimes or firearms offenses, as well as other individuals suspected of participation in acts of violence in the targeted area. Prior to the call-in, the team analyzes each offender's record and estimates the federal sentence each is facing for drug trafficking and/or gun possession. At the call-in meetings, representatives from the USAO, SAO, Baltimore Police Department, and Maryland Parole/Probation communicate the message directly and unambiguously: these individuals are going straight back to jail if they commit another offense. Each offender is identified by name and told how much time he can expect to face if arrested and prosecuted for a drug or gun-related crime. Representatives of service organizations, community leaders, and ex-offenders also address the group and offer housing, educational, and job placement assistance to try to help these repeat offenders turn their lives around and to help prevent them from reentering the cycle of violence in their communities.

## **VIII. Jobs**

One of the most serious challenges facing reentry programs is finding jobs for the participants. The Northern District of Oklahoma has addressed this challenge by establishing the Tulsa Manufacturing Academy. Adult offenders are admitted to the program after a background check and prequalifying aptitude and skills tests are performed. An offender begins the program in the final 10 months of the sentence. Experienced and qualified staff administer industry-based skills assessments of the offenders and provide them with extensive classroom and practical training in industry, academic, computer, life, family, and parenting skills. The industry skills courses incorporate hands-on training using manufacturing tools and measuring instruments. Fourteen manufacturing businesses from the Tulsa area

participate in the program and have helped design the training curriculum. Adult offenders who graduate from the program are placed in jobs with the participating manufacturing businesses. These jobs typically start at a wage of \$12 per hour and provide medical and dental benefits. Community and faith-based partners "adopt" a graduate and provide services to help the graduate transition successfully into the community. Those services include assistance with housing, transportation, food, clothing, debt, and mentoring. Both the federal and state probation offices are involved in providing these transition services.

## **IX. Juvenile programs**

In the District of Massachusetts, the Boston Juvenile Reentry Initiative is an intensive postrelease program for high-risk youth. The Massachusetts Department of Youth Services and the Boston Police Department developed a reentry program in Boston to improve the successful reintegration of high risk offenders between the ages of 14 and 21 into the community, following their stay in secure treatment. Focused on education, skill building, successful community reentry, family support, and unification, caseworkers work with the youth in the program prior to and after their release. The USAO's PSN program actively supports this effort by assisting in the identification of appropriate gang- and firearm-involved youths. Additionally, an AUSA speaks to the youth at monthly panels with a focus on directing them away from criminal conduct and towards use of the services available to him.

In the Western District of New York, in Buffalo, PSN grants funded the production of "The Long Way Home," an interactive play regarding street and school violence. The play is shown to juvenile probation offenders who are then offered the opportunity to participate in a 10-week program called Second Step. Second Step is a curriculum designed to improve decision making and reduce the influence and impact of peer pressure. The play has also been presented to local schools in an effort to foster discussion about responsible decision making.

## **X. Conclusion**

In sum, USAOs across the nation are aggressively and effectively using reentry programs. The work being done by these USAOs can provide models for other USAOs considering implementing reentry programs that seek to reduce the rate of reoffending by the currently incarcerated individuals who will soon be returning to their communities.❖

### **ABOUT THE EDITOR**

❑ **Tate Chambers** joined the United States Attorney's Office in the Central District of Illinois in 1984. He served there in several capacities including Peoria Branch Chief, Appellate Chief, OCDEF Lead Task Force Attorney, Project Safe Neighborhoods (PSN) Coordinator, and Anti-Gang Coordinator. In 2007, he began a detail in the Executive Office for United States Attorneys (EOUSA) in Washington, DC, as PSN National Coordinator. He served in that capacity for two years, and in November of 2009 began a detail on EOUSA's Evaluation and Review Staff (EARS) as Legal Program Manager.⌘

The preceding article was taken largely from the draft edition of *The Project Safe Neighborhoods Deskbook*.

# Juvenile Prosecution, Prevention, Intervention, and Education: A Collection of Project Sentry Programs

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## **I. Introduction**

Launched in 2002 by the Department of Justice, *Project Sentry* is an element of the Project Safe Neighborhoods (PSN) initiative aimed at preventing juvenile gun crime and violence in schools. *Project Sentry* achieves its mission by employing strategies aimed at prevention, deterrence, education, and prosecution. *Project Sentry* Coordinators are responsible for the prosecution of juveniles who violate firearms law and adults who provide juveniles with firearms. Through various outreach programs, schools, communities, and law enforcement all participate in the education and prevention process. The initiative relies on partnerships between federal, state, and local law enforcement, community groups, and faith leaders.

## **II. Prosecution**

Juvenile prosecutions are rare in federal court. Such investigations focus primarily on drug crimes and violent felonies committed with a firearm, possessory offenses involving firearms in schools, or juveniles in possession of handguns. While often the strategy of last resort for dealing with a particular juvenile or group of juveniles, federal juvenile prosecutions can provide general deterrence in a particular school or community following the commission of a serious crime or series of crimes. Additionally, the resources of the federal criminal justice system, specifically intensive supervision, often provide stability and structure to youth headed in a dangerous direction.

## **III. Prevention**

With the exception of a handful of highly-publicized events, recent reports of school gun violence have decreased. Despite the fact that schools seem safer, most communities have become proactive towards school gun violence in developing programs which focus on new methods to deal with root causes such as bullying, mental health problems, self-esteem, positive role-modeling, and peer-to-peer communication.

## **A. School-based strategies**

Despite the importance of parents and families taking responsibility for educating youth on the dangers of school gun violence, school administrators can also play an important role in the strategy of preventing such violence as they control a school's environment.

A number of school-based prevention strategies aim for zero tolerance for gun crime in schools and communities. One example of this strategy is the annual National Day of Concern About Young People and Gun Violence (District of South Carolina). Other examples of school-based strategies include development and implementation of various educational programs, such as Peers Organized to Support Student Excellence (Western District of Missouri) and Street Smarts (District of Rhode Island); skill-building programs (Middle District of Alabama); arts-based projects (District of Maryland); multimedia programs like Project Penalty Awareness (Northern District of Ohio); debate projects (Northern District of Georgia); musical events (Middle District of Florida); and collaboration with civil rights teams in local high and middle schools. Research-based theories on school gun violence prevention such as the Safe School Initiative (U.S. Secret Service) are relevant in every part of the country.

Much of the work being done to prevent school gun violence is simply aimed at promoting increased awareness of the need to avoid complacency and continuous strategy development to increase school safety.

## **B. Community-based strategies**

Engagement of the community outside a school is also critical to the success of juvenile violence prevention strategies. Traditional outreach efforts such as firearm safety programs (Project ChildSafe), civil air patrol initiatives (New Mexico), and offender notifications (Western District of Kentucky), have been implemented as part of *Project Sentry*. Additionally, nontraditional outreach efforts such as those developed in the Eastern District of Kentucky, Middle District of North Carolina, and Eastern District of North Carolina, as well as intensive case management (Northern District of New York), youth summits (Middle District of Florida and District of Maine), and the creation of violence intervention partnerships (District of Columbia), have engaged communities in the important mission of reducing school gun violence and illegal gun possession by America's youth.

## **C. Law enforcement-based strategies**

Finally, programs which employ a law enforcement component, such as intensive post-release supervision program for high-risk youth (District of Massachusetts) and programs involving school resource officers, Drug Awareness Resistance Education (D.A.R.E.) and Gang Resistance Education and Awareness Training (G.R.E.A.T.) (District of Maine) rely on significant partnerships which bring schools and communities together in the fight against school gun violence.

## **III. Intervention**

Regarding those juveniles for whom the prevention efforts were unsuccessful, traditional and creative intervention programs have been an integral part of *Project Sentry*. Evidence-based, reentry strategies such as mentoring, home visits, individual consultation, group sessions, referrals to appropriate school and community agencies, and case management, have lead to great success. Gang intervention programming efforts are based on sound theory, research, and practice, which address the identified needs of at-risk students and families (Northern District of Texas). Other examples include juvenile call-ins

(Eastern District of North Carolina), electronic monitoring on supervision (Middle District of Florida), and juvenile courts (Northern District of Ohio).

Safe Streets initiatives are also employed where business, law enforcement, researchers, government, social services, and faith groups come together and use their collective resources to reduce the influence of gangs and drug crews in distressed neighborhoods (Eastern District of Wisconsin), Gang Abatement Project (Middle District of Florida).

#### **IV. Conclusion**

Through *Project Sentry*, the Department of Justice has successfully awarded thousands of dollars in grant funds to every district in the country in an effort to protect juveniles from gun crime and prevent gun violence tragedies in schools through prevention and intervention. Applying the approach of combined resources of federal, state, and local governments to school-related gun violence, *Project Sentry* allows community partners to share experiences and discuss prevention techniques for securing the safety of America's schools.❖

#### **ABOUT THE AUTHOR**

❑ **Darcie N. McElwee** started her legal career as an Assistant District Attorney for Penobscot and Piscataquis counties in Maine. Since 2002, Darcie has served as an Assistant United States Attorney for the District of Maine. As the coordinator for Maine's PSN, Anti-Gang, and *Project Sentry* Programs, Darcie prosecutes federal firearms, explosives, and arson cases and engages in community outreach regarding domestic violence, offender intervention, and juvenile and school gun violence. Darcie is a member of the National PSN Working Group.⌘

The preceding article was taken largely from the draft edition of *The Project Safe Neighborhoods Deskbook*.